

**CITY OF BIRMINGHAM  
MEETING OF THE BOARD OF ZONING APPEALS  
TUESDAY, APRIL 11, 2023  
7:30 PM**

The meeting will be held in the City Commission Room at City Hall, 151 Martin St. Birmingham, MI 48009. Should you have any statement regarding any appeals, you are invited to attend the meeting in person or virtually through ZOOM:

**[https://zoom.us/j/963 4319 8370](https://zoom.us/j/96343198370) or dial: 877-853-5247 Toll-Free,  
Meeting Code: 963 4319 8370**

You may also provide a written statement to the Board of Zoning Appeals, City of Birmingham, 151 Martin Street,  
P.O. Box 3001, Birmingham MI, 48012-3001 prior to the hearing

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. ANNOUNCEMENTS**

a) The City recommends members of the public wear a mask if they have been exposed to COVID-19 or have a respiratory illness. City staff, City Commission and all board and committee members must wear a mask if they have been exposed to COVID-19 or actively have a respiratory illness. The City continues to provide KN-95 respirators and triple layered masks for attendees.

**4. APPROVAL OF THE MINUTES**

a) March 14, 2023

**5. APPEALS**

	Address	Petitioner	Appeal	Type/Reason
1)	832 ANN	RATLIFF	23-08	DIMENSIONAL
2)	2648 DORCHESTER	BABI	23-12	DIMENSIONAL
3)	1267 PILGRIM	STERLING DEVELOPMENT	23-14	DIMENSIONAL
4)	1563 LAKESIDE	BESHOURI	23-15	DIMENSIONAL

**6. CORRESPONDENCE**

**7. GENERAL BUSINESS**

**8. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA**

**9. ADJOURNMENT**

**Title VI**

Persons with disabilities that may require assistance for effective participation in this public meeting should contact the City Clerk's Office at the number (248) 530-1880, or (248) 644-5115 (for the hearing impaired) at least one day before the meeting to request help in mobility, visual, hearing, or other assistance.

*Las personas con incapacidad que requieren algún tipo de ayuda para la participación en esta sesión pública deben ponerse en contacto con la oficina del escribano de la ciudad en el número (248) 530-1800 o al (248) 644-5115 (para las personas con incapacidad auditiva) por lo menos un día antes de la reunión para solicitar ayuda a la movilidad, visual, auditiva, o de otras asistencias. (Title VI of the Civil Rights Act of 1964).*

The public entrance during non-business hours is through the police department at the Pierce Street entrance only. Individuals requiring assistance entering the building should request aid via the intercom system at the parking lot entrance gate on Henrietta Street.

La entrada pública durante horas no hábiles es a través del Departamento de policía en la entrada de la calle Pierce solamente. Las personas que requieren asistencia entrando al edificio debe solicitar ayudan a través del sistema de intercomunicación en la puerta de entrada de estacionamiento en la calle de Henrietta.

## APRIL BZA MAP



**Birmingham Board Of Zoning Appeals Proceedings  
Tuesday, March 14, 2023  
City Commission Room  
151 Martin Street, Birmingham, Michigan**

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**1. Call To Order**

Minutes of the special meeting of the City of Birmingham Board of Zoning Appeals ("BZA") held on Tuesday, March 14, 2023. Chair Morganroth convened the meeting at 7:30 p.m.

**2. Rollcall**

**Present:** Chair Erik Morganroth, Vice-Chair Jason Canvasser; Board Members Kevin Hart, John Miller, Ron Reddy, Pierre Yaldo; Alternate Board Member Carl Kona

**Absent:** Board Member Richard Lilley

**Staff:** Building Official Johnson; City Transcriptionist Eichenhorn, Assistant Building Official Morad, Assistant Building Official Zielke

Chair Morganroth welcomed those present and reviewed the meeting's procedures. He noted that the members of the Board of Zoning Appeals are appointed by the City Commission and are volunteers who serve staggered three-year terms. They are a quasi-judicial board and sit at the pleasure of the City Commission to hear appeals from petitioners who are seeking variances from the City's Zoning Ordinance. Under Michigan law, a dimensional variance requires four affirmative votes from this board, and the petitioner must show a practical difficulty. A land use variance requires five affirmative votes and the petitioner has to show a hardship. He pointed out that this board does not make up the criteria for practical difficulty or hardship. That has been established by statute and case law. Appeals are heard by the board as far as interpretations or rulings. In that type of appeal the appellant must show that the official or board demonstrated an abuse of discretion or acted in an arbitrary or capricious manner. Four affirmative votes are required to reverse an interpretation or ruling.

Chair Morganroth took rollcall of the petitioners. All petitioners were present.

**3. Announcements**

Announcements can be found in the evening's agenda packet.

**4. Approval Of The Minutes Of The BZA Meetings Of February 14, 2023**

**T# 03-11-23**

**Motion by Mr. Reddy**

**Seconded by VC Canvasser to accept the Minutes of the BZA meeting of February 14, 2023 as submitted.**

**Motion carried, 7-0.**

VOICE VOTE

Yeas: Miller, Canvasser, Kona, Reddy, Yaldo, Morganroth, Hart

Nays: None

**5. Appeals**

**T# 03-12-23**

**1) 592 Lincoln  
Appeal 23-07**

ABO Zielke presented the item, explaining that the owner of the property known as 592 Lincoln was requesting the following variances for a constructed pergola:

- A. Chapter 126, Article 2, Section 2.10.1** of the Zoning Ordinance requires the maximum lot coverage of the lot is 30% (1936.92 SF). The existing is 30.80% (1989.00 SF). The proposed with the pergola is 32.80% (2120.55 SF). Therefore, a variance of 2.80% (183.63 SF) is being requested.
- B. Chapter 126, Article 4, Section 4.61(A)(2)** of the Zoning Ordinance requires corner lots where there is no abutting interior residential lot on such side street, the minimum side street setback shall be 15.00 feet for permitted accessory structures. The pergola is 5.03 feet. Therefore, a variance of 9.97 feet is being requested.
- C. Chapter 126, Article 4, Section 4.03(B)** of the Zoning Ordinance states accessory structures may occupy a portion of the rear open space. They shall be at least 3.00 feet from any lot line. The pergola is 2.61 feet. Therefore, a variance of 0.39 feet is being requested.

Staff answered informational questions from the Board.

Matt Mosher, landscape architect, reviewed the letter describing why these variances were being sought. The letter was included in the evening's agenda packet.

In reply to Board inquiry, Mr. Mosher stated:

- A cantilever umbrella or moving the pergola was considered;
- While the pergola could be moved to meet the setback requirements and more arborvitae could be added, it would not be as architecturally pleasing as the present design;
- The lot is unique relative to other corner lots because it is further from other houses, because there is no access to the back yard except from the house;
- Birmingham counts the air as lot coverage, whereas other cities do not;
- The intent of the request is not beyond what other properties in Birmingham would be allowed to do; and,



- If the house was neighbored by another house, instead of being on a corner, it would be in compliance.

The Chair reminded those present that the Board was required to enforce ordinances, and could provide variances only when the appellant meets particular requirements. He noted that the Board does not have the authority to grant variances based on other criteria.

#### Public Comment

Alex Davis spoke in favor of the variances being granted.

Seeing no further public comment, discussion was returned to the Board.

Mr. Miller said the need for variance C could likely be easily resolved by the owner, there might be sufficient hardship for variance B, and that he could not personally see a way to grant variance A. He said if variance A could not be granted, then variance B became moot.

Mr. Yaldo explained the only potential hardship for variance B was that the property already exceeded its lot coverage. He said he did not find that to be persuasive as a reason to grant variance B.

#### **Motion by Mr. Reddy**

**Seconded by VC Canvasser with regard to Appeal 23-07, A. Chapter 126, Article 2, Section 2.10.1 of the Zoning Ordinance requires the maximum lot coverage of the lot is 30% (1936.92 SF). The existing is 30.80% (1989.00 SF). The proposed with the pergola is 32.80% (2120.55 SF). Therefore, a variance of 2.80% (183.63 SF) is being requested; B. Chapter 126, Article 4, Section 4.61(A)(2) of the Zoning Ordinance requires corner lots where there is no abutting interior residential lot on such side street, the minimum side street setback shall be 15.00 feet for permitted accessory structures. The pergola is 5.03 feet. Therefore, a variance of 9.97 feet is being requested; and, C. Chapter 126, Article 4, Section 4.03(B) of the Zoning Ordinance states accessory structures may occupy a portion of the rear open space. They shall be at least 3.00 feet from any lot line. The pergola is 2.61 feet. Therefore, a variance of 0.39 feet is being requested.**

**Mr. Reddy stated that while he was sympathetic to the homeowners, he did not see any special or unique conditions that would allow the requested variances to be granted. Given this, Mr. Reddy moved to deny all three variances.**

**VC Canvasser concurred that the Board was sympathetic to the homeowners. He explained the Board could only consider potentially unique circumstances of the property. He noted that a similar case was denied by the Board in February 2022, and said that while the prior case was not dispositive that similar denial had to be considered. For these reasons, the Vice Chair lent his support to the motion. He asked the City to work with the homeowners on compliance.**

**The Chair noted that there was likely an ordinance-compliant way for the homeowner to achieve the desired shade on the property. He said he would support the motion for that reason.**

**Motion carried, 7-0.**

ROLL CALL VOTE

Yeas: Miller, Canvasser, Kona, Reddy, Yaldo, Morganroth, Hart

Nays: None

**T# 03-13-23**

**2) 967 Southfield  
Appeal 23-09**

ABO Zielke presented the item, explaining that the owner of the property known as 967 Southfield was requesting the following variances to reconstruct a rear and side patio:

- A. Chapter 126, Article 4, Section 4.03(A)** of the Zoning Ordinance requires that no structure shall be erected in the required front or side open space. This is a corner lot and per Section 6.61(A)1; A Corner lot which has on its side street an abutting an interior residential lot shall have a minimum setback from the side street equal to the minimum front setback for the zoning district in which such building is located. The required is 31.15 feet. The constructed rear porch is 14.24 feet. Therefore, a variance of 16.91 feet is requested.
- B. Chapter 126, Article 4, Section 4.30 (C) (3)** of the Zoning Ordinance requires that patios, porches or decks may not project into the required side open space. The patio is in the required side open space. Therefore, a variance to permit a patio in the side open space is requested.

Staff answered informational questions from the Board.

John Ketty, owner, reviewed the letter describing why these variances were being sought. The letter was included in the evening's agenda packet.

In reply to Board inquiry, Mr. Ketty stated:

- The back, right corner was the highest point at approximately 36 inches off grade;
- He did not realize the work required a permit or that the house was non-conforming;
- He was sorry for having done the work without the required permits;
- The patio off the north side of the house was required in order to have a hard surface to walk on that leads to the rear patio; and,
- He had not considered mitigating variance A, though it could likely be mitigated.

**Motion by VC Canvasser**

**Seconded by Mr. Miller with regard to Appeal 23-09, A. Chapter 126, Article 4, Section 4.03(A) of the Zoning Ordinance requires that no structure shall be erected in the**

**required front or side open space. This is a corner lot and per Section 6.61(A)1; A Corner lot which has on its side street an abutting an interior residential lot shall have a minimum setback from the side street equal to the minimum front setback for the zoning district in which such building is located. The required is 31.15 feet. The constructed rear porch is 14.24 feet. Therefore, a variance of 16.91 feet is requested; and, B. Chapter 126, Article 4, Section 4.30 (C) (3) of the Zoning Ordinance requires that patios, porches or decks may not project into the required side open space. The patio is in the required side open space. Therefore, a variance to permit a patio in the side open space is requested.**

**VC Canvasser moved to approve variance A and to deny variance B. He said the property was uniquely shaped which established a practical difficulty. He noted that the raised doors of the home required a way to exit to the lower yard. He said he did not see any unique circumstances or hardships for variance B. He said that any portion not considered a sidewalk by the City vis-a-vis variance B would have to be removed. He tied approval of variance A to the plans.**

**Mr. Miller concurred with VC Canvasser's reasons for approving variance A, adding that the property was pre-existing non-conforming.**

**The Chair said he supported variance A, and that he could go either way on approving variance B. He said the updated patio with a reduced non-conformity could be seen as positive.**

**Motion carried, 7-0.**

ROLL CALL VOTE

Yeas: Miller, Canvasser, Kona, Reddy, Yaldo, Morganroth, Hart

Nays: None

**T# 03-14-23**

**3) 600 Fairfax  
Appeal 23-10**

ABO Zielke presented the item, explaining that the owner of the property known as 600 Fairfax was requesting the following variance to construct an attached garage to an existing non-conforming home:

- A. Chapter 126, Article 2.06.2** of the Zoning Ordinance requires that the minimum total side yard setback are 14.00 feet or 25% of the total lot width whichever is larger. The required is 20.00 feet. The proposed is 16.80 feet. Therefore; a variance of 3.20 feet is being requested.

Staff answered informational questions from the Board.

Donald Wheeler of HRH Design Group reviewed the letter describing why this variance was being sought. The letter was included in the evening's agenda packet.

Seeing no Board inquiry of Mr. Wheeler or public comment on the appeal, the Chair invited a motion.

**Motion by Mr. Miller**

**Seconded by Mr. Hart with regard to Appeal 23-10, A. Chapter 126, Article 2.06.2 of the Zoning Ordinance requires that the minimum total side yard setback are 14.00 feet or 25% of the total lot width whichever is larger. The required is 20.00 feet. The proposed is 16.80 feet. Therefore; a variance of 3.20 feet is being requested.**

**Mr. Miller moved to approve the variance and tied approval to the plans as submitted. He said the request was very reasonable and would do substantial justice to the petitioner and other property owners in the area.**

**The Chair noted this addition did not require the same variance the garage required. He noted the same variance from December 2022 just needed to be re-approved along with the plans for this ordinance-compliant addition.**

**Motion carried, 7-0.**

ROLL CALL VOTE

Yeas: Miller, Canvasser, Kona, Reddy, Yaldo, Morganroth, Hart

Nays: None

**T# 03-15-23**

**4) 300 Shirley  
Appeal 23-11**

ABO Zielke presented the item, explaining that the owner of the property known as 300 Shirley was requesting the following variance to allow a basement to project into the required front open space:

- A. Chapter 126, Article 2, Section 2.06.2** of the Zoning Ordinance requires that the minimum front yard setback is the average of home within 200.00 feet in each direction. The required is 67.38 feet. The proposed is 62.88 feet. Therefore, a variance of 4.50 feet is requested.

There was discussion between the Board, Staff, and David Mendelson, owner, about which appeals had been filed and noticed.

It was confirmed that only a dimensional variance request had been noticed.

Mr. Mendelson stated that he had intended to appeal more than just the dimensional variance request, and that he was unsure how his present appeal came to be limited to the dimensional variance request.

He was advised that he could either limit the present conversation to the dimensional variance request or could resubmit in order to discuss additional requests at a future meeting.

Mr. Mendelson asked if he could return with an appeal of interpretation if the present variance request was not granted.

BO Johnson said he did not see why that would not be allowed.

Staff answered informational questions from the Board.

Mr. Mendelson reviewed the letter describing why this variance was being sought. The letter was included in the evening's agenda packet.

In reply to Board inquiry, Mr. Mendelson stated:

- The new wall was poured simultaneously because his contractors discovered at the time of digging the foundation that they were concerned about the strength of the foundation;
- Once the new wall had to be poured, his contractors advised him that it would not be significantly more expensive to add cement flooring to the basement area and to extend the air duct in order to create a usable space;
- The blue clay soil underneath his home required the excavation of a larger area under the home, which then necessitated the new wall; and,
- Birmingham Staff advised Mr. Mendelson that had he not poured the new wall, the City likely would have required it.

The Chair stated that in his professional experience converting the basement area into usable space would be more expensive than filling it in.

#### Public Comment

In reply to Ms. Davis, the Chair confirmed that this potential variance would not impact her as a diagonal neighbor to Mr. Mendelson.

Seeing no further public comment, the Chair invited a motion.

#### **Motion by Mr. Miller**

**Seconded by Mr. Hart with regard to Appeal 23-11, A. Chapter 126, Article 2, Section 2.06.2 of the Zoning Ordinance requires that the minimum front yard setback is the average of home within 200.00 feet in each direction. The required is 67.38 feet. The proposed is 62.88 feet. Therefore, a variance of 4.50 feet is requested.**

**Mr. Miller moved to approve the variance and tied approval to the plans as submitted. He said the issue with the soils meant that the need for the variance was not self-**



**created. He stated that the variance itself was minimal, reasonable, and unique. He said this should not be taken as precedent-setting since the Board is very careful about variances that project into the front yard.**

**Mr. Hart offered his support for the motion and agreed with Mr. Miller. Citing his professional experience, he stated that removing clay or working around it is vital. He said this was likely an expensive change, and was likely not done with any intent to deceive the City or initially to create more usable space. He noted that no injustice would be done to the neighbors by granting the variance.**

**VC Canvasser said he would not support the motion. He said the soil conditions likely merited the new wall, but did not merit the 4.50 foot variance into the front yard setback. He noted that soil conditions were likely a broader issue in the area. He stated the 4.50 food space could be filled in to comply with the ordinance. He explained he was unpersuaded that the need for the variance was not self-created.**

**The Chair said he would support the motion. He said the request would not impact the neighbors, would do substantial justice to the homeowner, and was minimal. He noted the request was part of an otherwise ordinance-compliant space.**

**Motion carried, 6-1.**

ROLL CALL VOTE

Yeas: Miller, Kona, Reddy, Yaldo, Morganroth, Hart

Nays: Canvasser

**T# 03-16-23**

**5) 463 Golfview  
Appeal 23-13**

ABO Zielke presented the item, explaining that the owner of the property known as 463 Golfview was requesting the following variance to construct an addition to the existing non-conforming home:

- A. Chapter 126, Article 4, Section 4.75(A)(1)** of the Zoning Ordinance requires that private residential building with an attached garage that faces the street must be setback a minimum of 5.00 feet from the portion of the front façade on the first floor of a principal residential building. The proposed is 18.92 feet in front of the furthest front facade. Therefore, a variance of 23.92 feet is requested.

Staff answered informational questions from the Board.

Robin Ballew, architectural designer, reviewed the letter describing why this variance was being sought. The letter was included in the evening's agenda packet.

In reply to Board inquiry, Mr. Ballew stated:

- The house needed to be brought up to the present standard of the houses in the area;
- If this variance were not granted, he might consider pursuing a single door for the existing garage, though that would not reduce the setback issue;
- The present plans best met the ordinance requirements while also doing justice to the homeowner;
- The non-conformity was reduced on the west side of the structure, and all other ordinance requirements were met;
- The design on the east was to preserve the landscaped part of the yard and would likely not be visible from the street given the trees; and,
- Some challenges were presented by the unusual shape of the lot.

**Motion by Mr. Miller**

**Seconded by Mr. Hart with regard to Appeal 23-13, A. Chapter 126, Article 4, Section 4.75(A)(1) of the Zoning Ordinance requires that private residential building with an attached garage that faces the street must be setback a minimum of 5.00 feet from the portion of the front façade on the first floor of a principal residential building. The proposed is 18.92 feet in front of the furthest front facade. Therefore, a variance of 23.92 feet is requested.**

**Mr. Miller moved to approve the variance and tied approval to the plans as submitted. He said strict compliance with the ordinance would render conformity unnecessarily burdensome. He said the plans minimized the impact of a front-facing garage.**

**Mr. Hart supported the motion. He explained the present design would better benefit the neighborhood over a design that would be one long, linear structure that would have a less integrated addition.**

**Motion carried, 4-3.**

**ROLL CALL VOTE**

Yeas: Miller, Kona, Yaldo, Hart

Nays: Morganroth, Reddy, Canvasser

**6. Correspondence**

**7. Open To The Public For Matters Not On The Agenda**

**8. Adjournment**

No further business being evident, the Board motioned to adjourn at 9:37 p.m.



Bruce R. Johnson, Building Official

Laura Eichenhorn, City Transcriptionist

# **CASE DESCRIPTION**

**832 Ann Street (23-08)**

**Hearing date: April 11, 2023**

**Appeal No. 23-08:** The owner of the property known **832 Ann Street**, requests the following variances for a constructed Pergola in the rear yard:

A. Chapter 126, Article 2, Section 2.10.1 of the Zoning Ordinance requires the maximum lot coverage of the lot is 30% (1885.80 SF). The proposed with the pergola is 34.01% (2138.00 SF). Therefore, a variance of 4.10% (254.30 SF) is being requested.

B. Chapter 126, Article 4, Section 4.03(H) of the Zoning Ordinance requires the maximum area for permitted accessory structures in the R3 zoning district is 500.00 SF. The existing detached garage is 420 SF and the constructed pergola is 308 SF. The total of accessory structures is 728.00 SF. Therefore, a variance of 228.0 SF is being requested.

**Staff Notes:** This applicant is requesting an additional square footage on the lot coverage and accessory structures. The existing house was constructed during 2019/2020.

This property is zoned R3 – Single family residential.

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Jeff Zielke, NCIDQ, LEED AP  
Assistant Building Official

## 832 ANN MAP





**CITY OF BIRMINGHAM**  
**Community Development - Building Department**  
**151 Martin Street, Birmingham, MI 48009**  
Community Development: 248-530-1850  
Fax: 248-530-1290 / [www.bhamgov.org](http://www.bhamgov.org)

**APPLICATION FOR THE BOARD OF ZONING APPEALS**

Application Date: 1/6/2023

Hearing Date: 2/14/2023

Received By: HT

Appeal #: 23-0008

Type of Variance:	<input checked="" type="checkbox"/> Interpretation	<input checked="" type="checkbox"/> Dimensional	<input checked="" type="checkbox"/> Land Use	<input checked="" type="checkbox"/> Sign	<input checked="" type="checkbox"/> Admin Review
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**I. PROPERTY INFORMATION:**

Address: <u>832 Ann St.</u>	Lot Number: <u>08-19-36-256-009</u>	Sidwell Number:
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**II. OWNER INFORMATION:**

Name: <u>Kevin and Toni Ratliff</u>			
Address: <u>934 Columbia St.</u>	City: <u>Houston</u>	State: <u>TX</u>	Zip code: <u>77008</u>
Email: <u>Ratliff.toni@gmail.com</u>		Phone: <u>713-206-4688</u>	

**III. PETITIONER INFORMATION:**

Name: <u>Kevin and Toni Ratliff</u>				Firm/Company Name:	
Address: <u>934 Columbia St.</u>	City: <u>Houston</u>	State: <u>TX</u>	Zip code: <u>77008</u>		
Email: <u>Ratliff.toni@gmail.com</u>		Phone: <u>(713) 206-4688</u>			

**IV. GENERAL INFORMATION:**

The Board of Zoning Appeals typically meets the second Tuesday of each month. Applications along with supporting documents must be submitted on or before the 12<sup>th</sup> day of the month preceding the next regular meeting. Please note that incomplete applications will not be accepted.

To insure complete applications are provided, appellants must schedule a pre-application meeting with the Building Official, Assistant Building Official and/or City Planner for a preliminary discussion of their request and the documents that will be required to be submitted. Staff will explain how all requested variances must be highlighted on the survey, site plan and construction plans. Each variance request must be clearly shown on the survey and plans including a table as shown in the example below. All dimensions to be shown in feet measured to the second decimal point.

The BZA application fee is **\$360.00** for single family residential; **\$560.00** for all others. This amount includes a fee for a public notice sign which must be posted at the property at least 15-days prior to the scheduled hearing date.

**Variance Chart Example**

Requested Variances	Required	Existing	Proposed	Variance Amount
Variance A, Front Setback	25.00 Feet	23.50 Feet	23.50 Feet	1.50 Feet
Variance B, Height	30.00 Feet	30.25 Feet	30.25 Feet	0.25 Feet

**V. REQUIRED INFORMATION CHECKLIST:**

- ☐ One original and nine copies of the signed application
- ☐ One original and nine copies of the signed letter of practical difficulty and/or hardship
- ☐ One original and nine copies of the certified survey
- ☐ 10 folded copies of site plan and building plans including existing and proposed floor plans and elevations
- ☐ If appealing a board decision, 10 copies of the minutes from any previous Planning, HDC, or DRB board meeting

**VI. APPLICANT SIGNATURE**

Owner hereby authorizes the petitioner designated below to act on behalf of the owner.

By signing this application, I agree to conform to all applicable laws of the City of Birmingham. All information submitted on this application is accurate to the best of my knowledge. Changes to the plans are not allowed without approval from the Building Official or City Planner.

\*By providing your email to the City, you agree to receive news and notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.

Signature of Owner: Kevin Ratliff, Toni Ratliff

Date: 1/5/2023

Signature of Petitioner: Toni Ratliff

Date: 1/5/2023

B. Application or rehearing of a case shall be in writing and subject to the same rules as an original hearing, clearly stating the new evidence to be presented as the basis of an appeal for rehearing.

I certify that I have read and understand the above rules of procedure for the City of Birmingham Board of Zoning Appeals.

  
Signature of Applicant

Mail body: Fwd: Birmingham letter

Sent from my iPhone

Begin forwarded message:

**From:** Toni Ratliff <ratliff.toni@gmail.com>  
**Date:** January 5, 2023 at 5:51:46 PM EST  
**To:** staples@printme.com  
**Subject:** Fwd: Birmingham letter

»

Sent from my iPhone

Begin forwarded message:

**From:** Kevin Ratliff <kratliff@goesheatingsystems.com>  
**Date:** January 5, 2023 at 5:49:23 PM EST  
**To:** ratliff.toni@gmail.com  
**Subject:** Birmingham letter

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City of Birmingham

My wife and I, the homeowners of 832 Ann St. are requesting a variance with regards to the pergola and patio in our backyard. We purchased our home as a spec from Neil Check at Tech Homes a few weeks prior to the March 15, 2020 Covid-19 lockdown. Building materials, lack of labor, trying to meet with the project manager and settling for what was available in a reasonable amount of time compounded an already stressful situation as we were living out of state.

We met with Jim Eppink, Neil Check's landscape architect in June 2020 to discuss the landscaping for both the front and back yard. Our initial thought was to put a small pool with a patio/pergola off the back of the house. It became apparent there was no way a pool could be built as we could not move the required drain per city code that was placed in the middle of the yard. According to the builder, that was where the City of Birmingham said to put it. The patio and pergola off the back of the house was also not an option because there needed to be a 10ft. distance between the patio/pergola and the garage. After further discussion with Jim Eppink we opted to place the patio off the side of the garage. He drew up the plans and sent them to Tech Homes to be submitted to the City of Birmingham for approval (see attached July 10, 2020). We also discussed putting a pergola over the patio. We were all of the understanding that the drawings had been submitted to the city and approved. Jim did state that the pergola could not go beyond the patio due to the previous/imperious ratio. We were unaware of accessory structure limitations. We paid Jim Eppink for the design of the front and back yard and at no time were we told that the plans had never been submitted particularly since Tech Homes asked for them so they could submit them to the city. As October 2020 came to a close, Tech Homes suggested that we wait until spring of 2021 to commence the backyard landscaping. This, they stated would also save on property taxes at closing. We closed and moved into our house in December 2020.

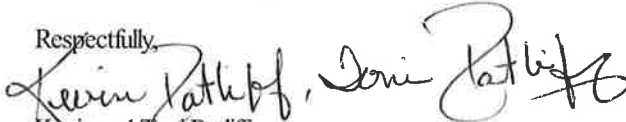
We began the backyard landscaping in the spring of 2021 with Sunnyside Landscaping who was working with Tech Homes. In fact Tech Homes building supervisor Nate Farrell helped us facilitate the tile and carpenter work on the side of the garage. During the entire building process the city municipal buildings remained closed to the public and currently still are to some extent. We relied on the builder and neighbors, many who have pergolas, pools and large outside areas for entertaining for guidance. Before we even bought our house we met at Neil Check's home. He had a great patio with pergola and artificial turf in the back yard. This was exactly what we wanted.

Surprisingly in July 2022 while we were removing improperly installed turf from the backyard Birmingham Code Enforcement came by. They stated that synthetic turf was not approved by the city and upon further investigation we were informed that we did not have a C of O and needed to stop work immediately. At this point we had been in

the house for 19 months. Apparently there were building violations that were never addressed. All violations were corrected and we finally received the C of O in October 2022. It was shortly after this that we were also made aware of the fact that the drawings of the backyard were never submitted to the city. In fact after meeting with Mike Morad we were informed that there was really not much we could do in the backyard because Tech Homes used all available impervious space. We can only assume that was why the yard drawings were never submitted.

After being gone for forty years, we bought this home with every intention of being able to have family gatherings and enjoy the Michigan summers and fall. Had we known that we would not be able to utilize the backyard in any way, we never would have purchased this home. We are hoping the City of Birmingham grant us the variance that allows us to keep the pergola as it stands due to the placement of the drain, misinformation from the builder by omission and deviations in standard operating procedures amidst the Covid-19 pandemic.

Respectfully,

  
Kevin and Toni Ratliff

*Sincerely,*

**Kevin Ratliff**



Vice President

Bus-713.699.5344

Cell- 713.882.7549

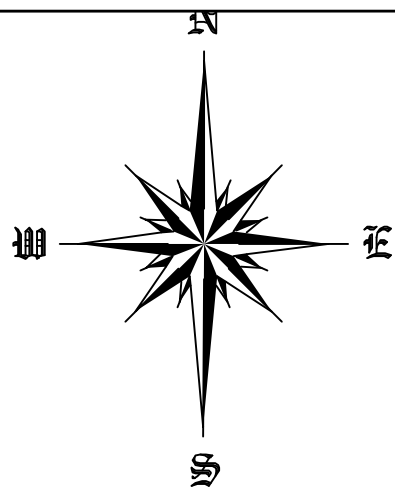
Toll Free- 1.866.699.5344

**HUB/DBE/WBE/SBE Certified**

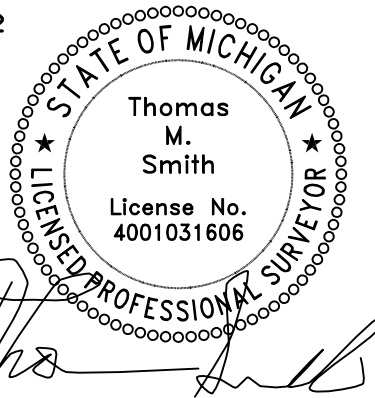
[www.goesheatingsystems.com](http://www.goesheatingsystems.com)



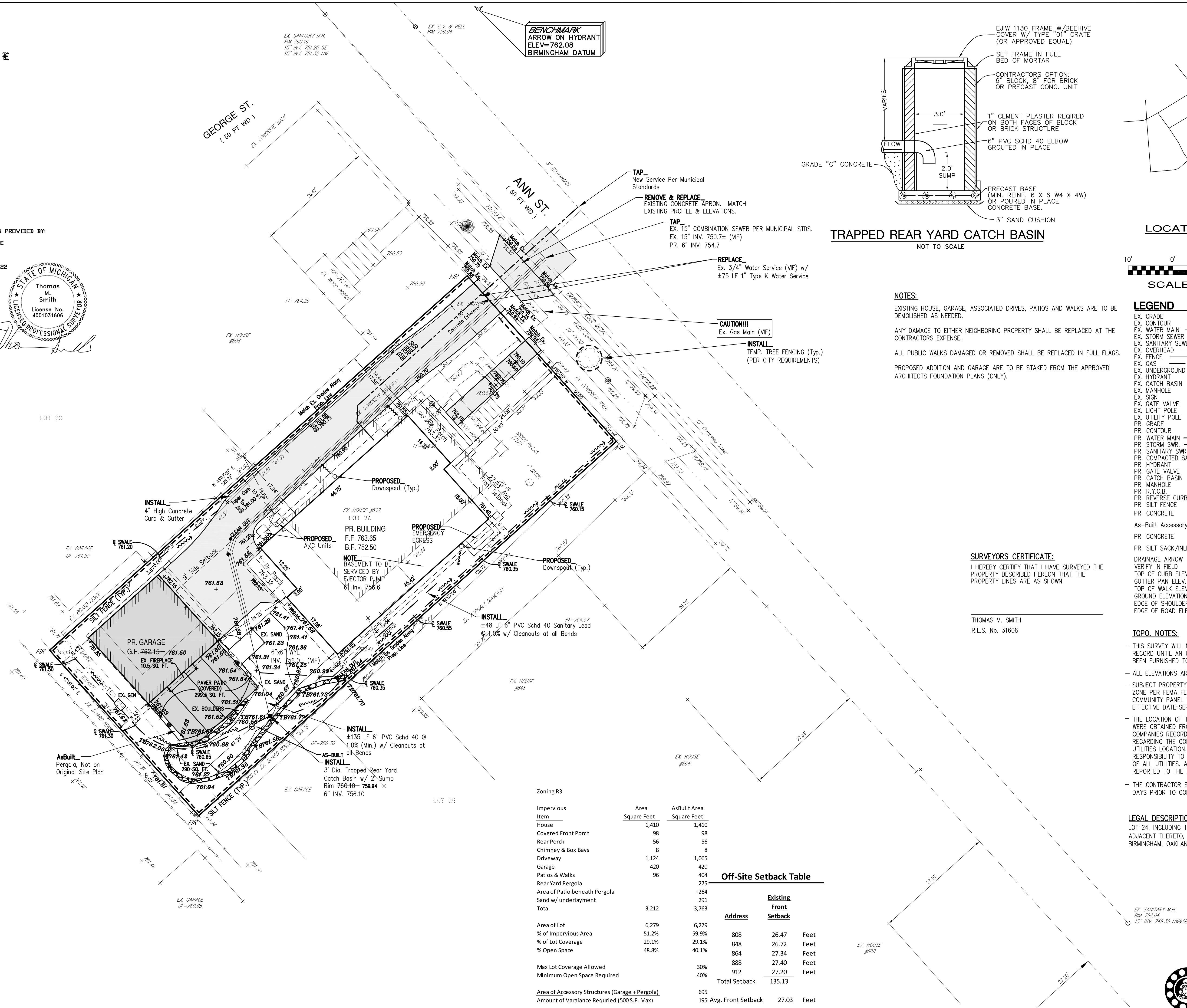




AS-BUILT INFORMATION PROVIDED BY:  
THOMAS M. SMITH, P.S.  
7559 OLDE STURBRIDGE  
CLARKSTON, MI 48348  
(248)-625-3276  
DATED: DEC. 7, 2020  
Revised Dec. 8 2022  
AS-BUILT: 555.55AB



LOT 23



Zoning R3

Impervious Item	Area Square Feet	AsBuilt Area Square Feet
House	1,410	1,410
Covered Front Porch	98	98
Rear Porch	56	56
Chimney & Box Bays	8	8
Driveway	1,124	1,065
Garage	420	420
Patios & Walks	96	404
Rear Yard Pergola	275	275
Area of Patio beneath Pergola		-264
Sand w/ underlayment	291	291
Total	3,212	3,763
Area of Lot	6,279	6,279
% of Impervious Area	51.2%	59.9%
% of Lot Coverage	29.1%	29.1%
% Open Space	48.8%	40.1%
Max Lot Coverage Allowed	30%	912
Minimum Open Space Required	40%	291
Area of Accessory Structures (Garage + Pergola)		695
Amount of Variance Required (500 S.F. Max)		195 Avg. Front Setback

Off-Site Setback Table

Address	Existing Front Setback	Feet
808	26.47	Feet
848	26.72	Feet
864	27.34	Feet
888	27.40	Feet
912	27.20	Feet
Total Setback	135.13	
195 Avg. Front Setback	27.03	Feet

GRADE "C" CONCRETE

TRAPPED REAR YARD CATCH BASIN

NOT TO SCALE

NOTES:

EXISTING HOUSE, GARAGE, ASSOCIATED DRIVES, PATIOS AND WALKS ARE TO BE DEMOLISHED AS NEEDED.

ANY DAMAGE TO EITHER NEIGHBORING PROPERTY SHALL BE REPLACED AT THE CONTRACTORS EXPENSE.

ALL PUBLIC WALKS DAMAGED OR REMOVED SHALL BE REPLACED IN FULL FLAGS.

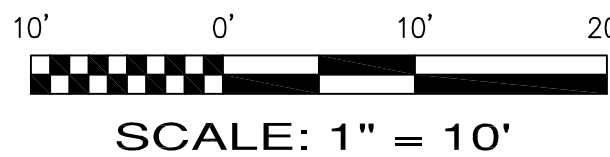
PROPOSED ADDITION AND GARAGE ARE TO BE STAKED FROM THE APPROVED ARCHITECTS FOUNDATION PLANS (ONLY).

SURVEYORS CERTIFICATE:

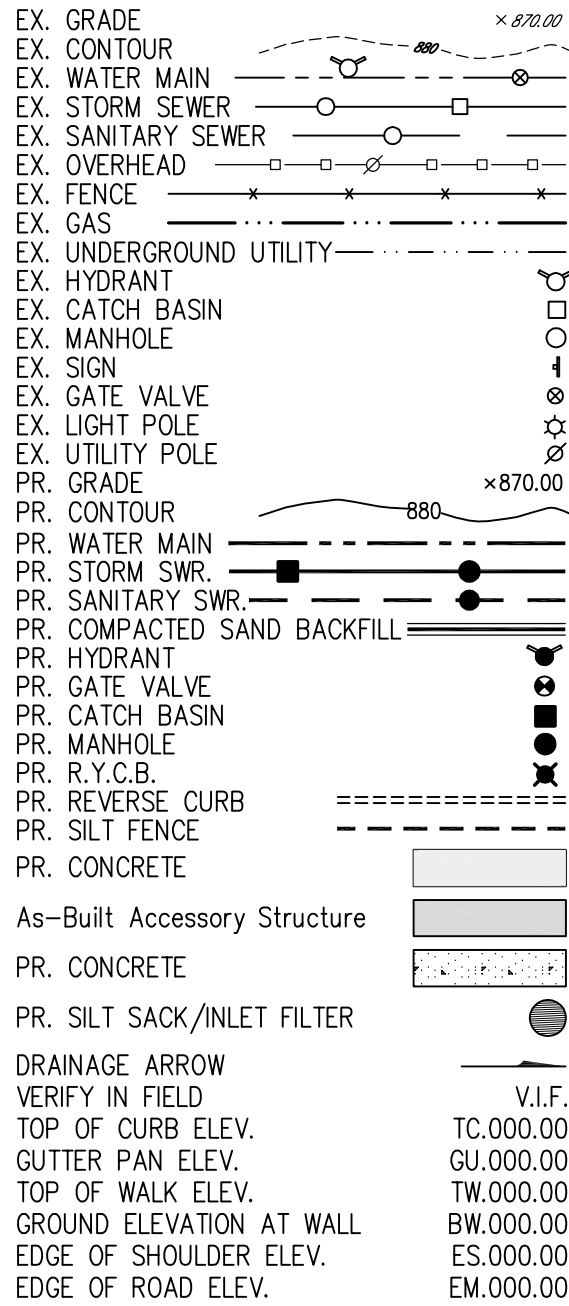
I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED HEREON THAT THE PROPERTY LINES ARE AS SHOWN.

THOMAS M. SMITH  
R.L.S. No. 31606

LOCATION MAP



LEGEND



TOPO. NOTES:

- THIS SURVEY WILL NOT SHOW ALL EASEMENTS OF RECORD UNTIL AN UPDATED TITLE POLICY HAS BEEN FURNISHED TO THE SURVEYOR BY THE OWNER.
- ALL ELEVATIONS ARE EXISTING ELEVATIONS
- SUBJECT PROPERTY IS NOT LOCATED IN A FLOOD ZONE PER FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 26125C0537F. EFFECTIVE DATE: SEPTEMBER 29, 2006
- THE LOCATION OF THE EXISTING UTILITIES AS SHOWN WERE OBTAINED FROM MUNICIPAL AND UTILITY COMPANIES RECORDS. NO GUARANTEE CAN BE MADE REGARDING THE COMPLETENESS OR EXACTNESS OF THE UTILITIES LOCATION. IT IS THE CONTRACTORS RESPONSIBILITY TO VERIFY IN THE FIELD THE LOCATION OF ALL UTILITIES. ANY POTENTIAL CONFLICT SHALL BE REPORTED TO THE ENGINEER PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL CONTACT MISS DIG 3 WORKING DAYS PRIOR TO CONSTRUCTION.

LEGAL DESCRIPTION:

LOT 24, INCLUDING 1/2 VACATED ALLEY LYING ADJACENT THERETO, BUELL'S ADDITION, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN



REV	DESCRIPTION	BY	DATE
1	Revised Sanitary Invert	TCS	1/25/2023
2	Revised Sanitary Lead	TCS	10/22/2019
3	Per City Review	TCS	8/29/2019
4	Add Setback Table	TCS	5/13/2019
5	Revised Roof Overhang	TCS	3/25/2019
6	As-Built for Variance	TCS	2/07/2019

SE Sujak Engineering PLC

CIVIL ENGINEERING \$ PLANNING \$ DESIGN \$

4031 Coolidge Highway  
Troy, MI 48068  
Phone: (248) 885-8431  
Fax: (248) 885-8432  
Email: SujakEngineering@Comcast.net



832 Ann  
Birmingham, MI

Site Plan

Scale: 1" = 10'

Drawn: TCS

Checked: TCS

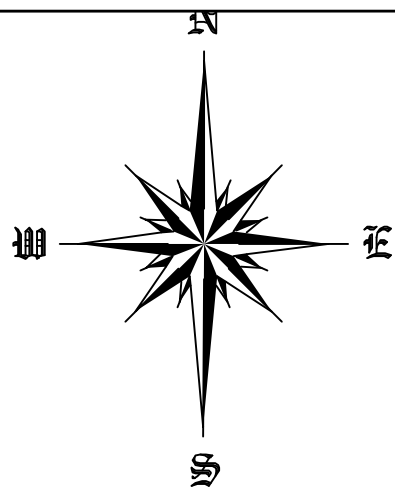
Approved: TCS

Date: 1/14/2019

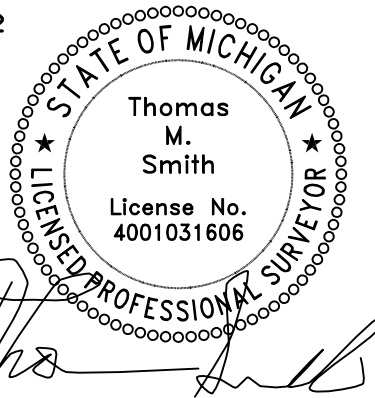
Job No. 18-068

Sheet No. C1.0

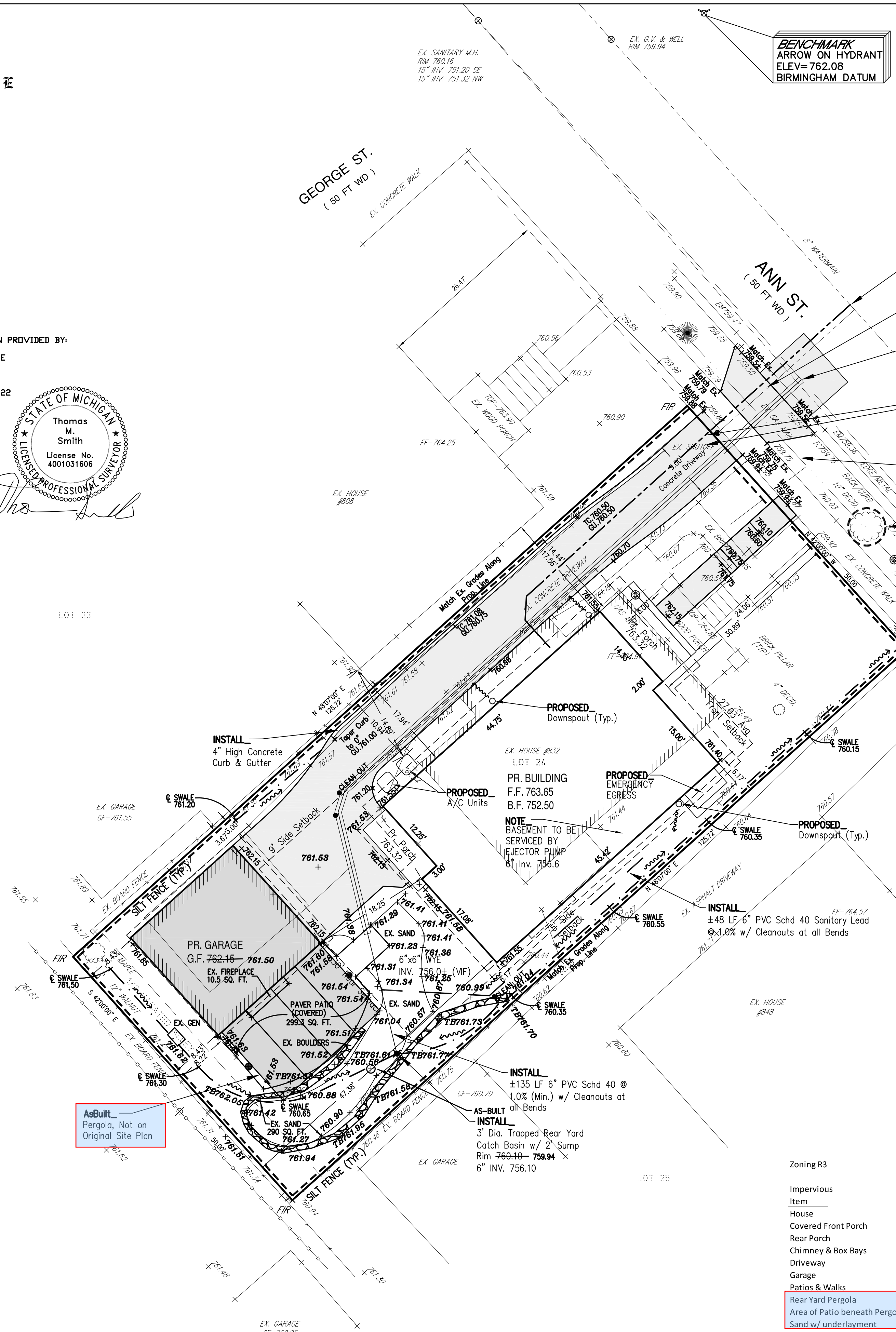




AS-BUILT INFORMATION PROVIDED BY:  
THOMAS M. SMITH, P.S.  
7559 OLDE STURBRIDGE  
CLARKSTON, MI 48348  
(248)-625-3276  
DATED: DEC. 7, 2020  
Revised Dec. 8 2022  
AS-BUILT: 555.55AB



LOT 23



As-Built Pergola, Not on Original Site Plan

Zoning R3

Impervious Item	Area Square Feet	AsBuilt Area Square Feet
House	1,410	1,410
Covered Front Porch	98	98
Rear Porch	56	56
Chimney & Box Bays	8	8
Driveway	1,124	1,065
Garage	420	420
Patios & Walks	96	404
Rear Yard Pergola		275
Area of Patio beneath Pergola		-264
Sand w/ underlayment		291
Total	3,212	3,763

Area of Lot	6,279	6,279
% of Impervious Area	51.2%	59.9%
% of Lot Coverage	29.1%	29.1%
% Open Space	48.8%	40.1%

Max Lot Coverage Allowed	30%
Minimum Open Space Required	40%

Area of Accessory Structures (Garage + Pergola)	685
Amount of Variance Required (500 S.F. Max)	195

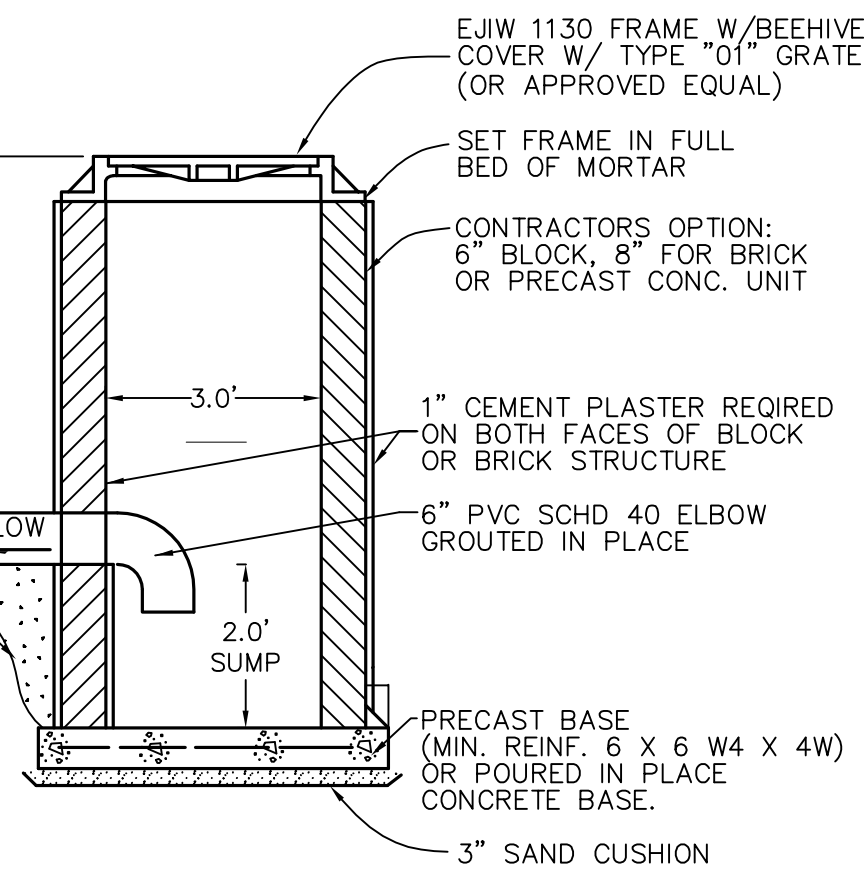
#### Off-Site Setback Table

Address	Existing Front Setback	
808	26.47	Feet
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GRADE "C" CONCRETE

#### TRAPPED REAR YARD CATCH BASIN

NOT TO SCALE



#### NOTES:

EXISTING HOUSE, GARAGE, ASSOCIATED DRIVES, PATIOS AND WALKS ARE TO BE DEMOLISHED AS NEEDED.

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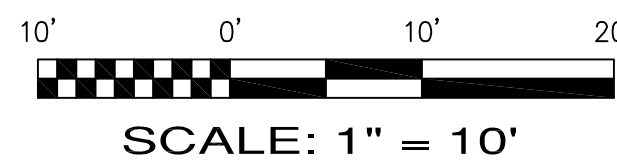
PROPOSED ADDITION AND GARAGE ARE TO BE STAKED FROM THE APPROVED ARCHITECTS FOUNDATION PLANS (ONLY).

#### SURVEYORS CERTIFICATE:

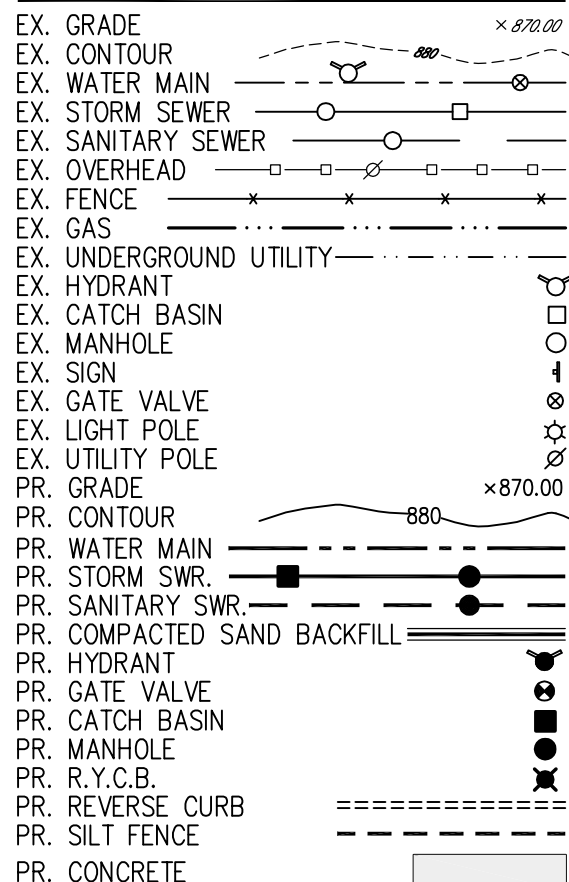
I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED HEREON THAT THE PROPERTY LINES ARE AS SHOWN.

THOMAS M. SMITH  
R.L.S. No. 31606

#### LOCATION MAP



#### LEGEND



#### As-Built Accessory Structure

PR. CONCRETE	
PR. SILT SACK/INLET FILTER	
DRAINAGE ARROW	V.I.F.
VERIFY IN FIELD	TC.000.00
TOP OF CURB ELEV.	GU.000.00
GUTTER PAN ELEV.	TW.000.00
TOP OF WALK ELEV.	BW.000.00
GROUND ELEVATION AT WALL	ES.000.00
EDGE OF SHOULDER ELEV.	ES.000.00
EDGE OF ROAD ELEV.	EM.000.00

#### TOPO. NOTES:

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- THE CONTRACTOR SHALL CONTACT MISS DIG 3 WORKING DAYS PRIOR TO CONSTRUCTION.

#### LEGAL DESCRIPTION:

LOT 24, INCLUDING 1/2 VACATED ALLEY LYING ADJACENT THERETO, BUELL'S ADDITION, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN



REV	DESCRIPTION	BY	DATE
1	Revised Roof Overhang	TCS	2/07/2019
2	Add Setback Table	TCS	3/25/2019
3	Per City Review	TCS	5/13/2019
4	Revised Sanitary Lead	TCS	8/29/2019
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**SE** Sujak Engineering PLC

CIVIL ENGINEERING \$ PLANNING \$ DESIGN \$

4031 Coolidge Highway  
Troy, MI 48068  
Phone: (248) 885-8431  
Fax: (248) 885-8432  
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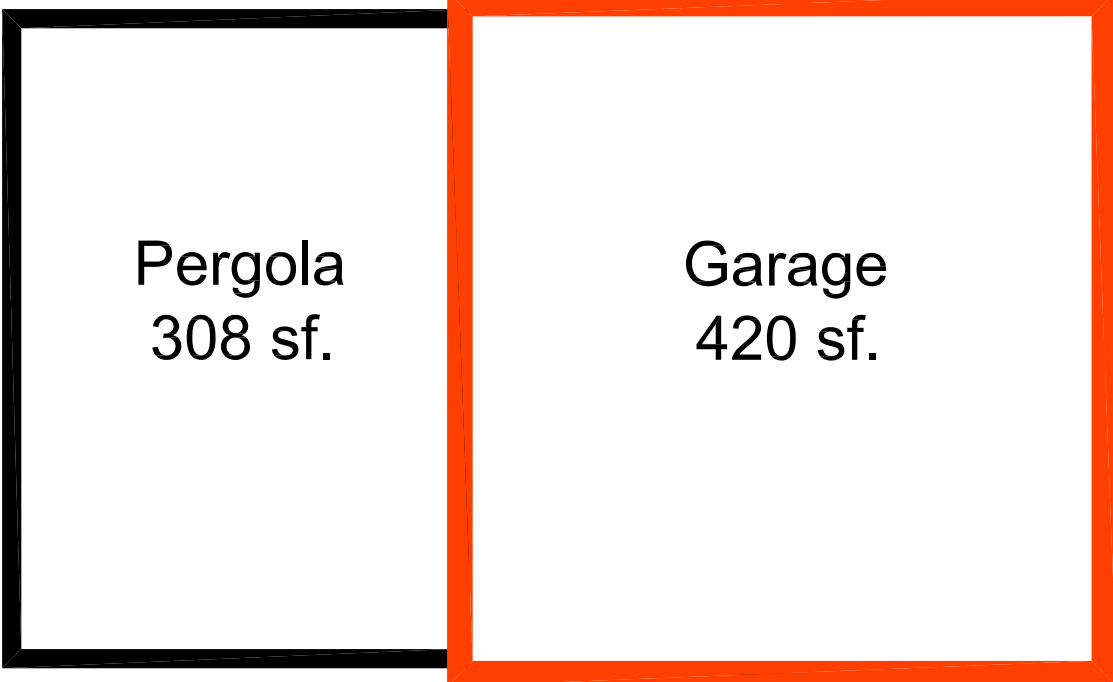


832 Ann  
Birmingham, MI

Site Plan

Scale:	1"=10'
Drawn:	TCS
Checked:	TCS
Approved:	TCS
Date:	1/14/2019
Job No.	18-068
Sheet No.	C1.0



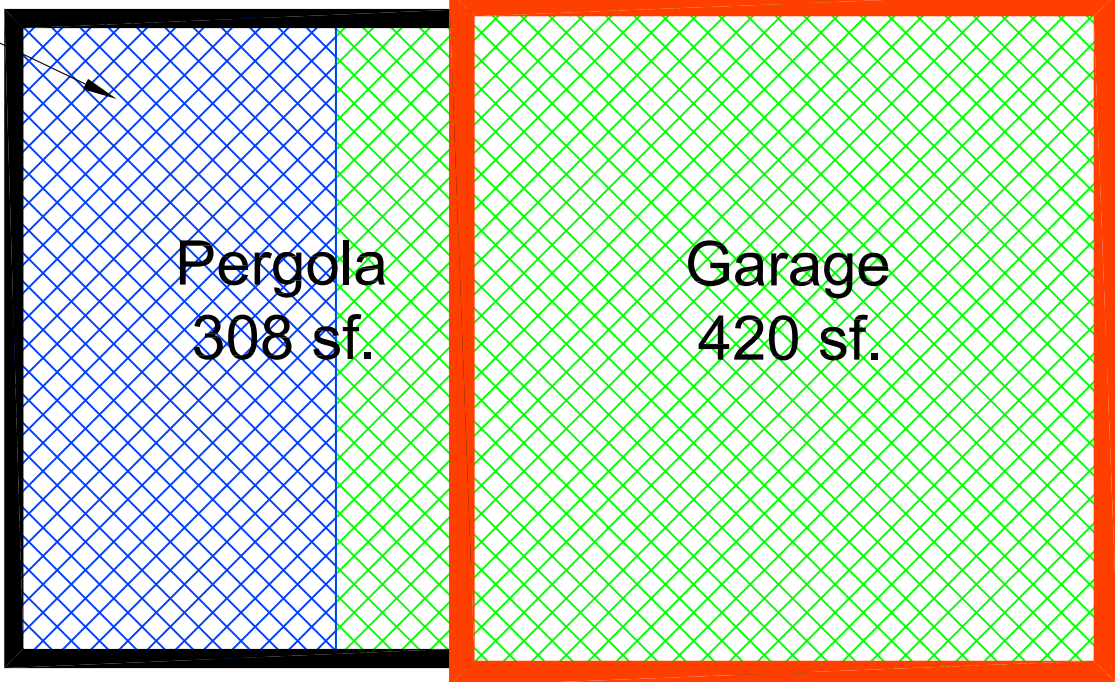


**VARIANCE REQUEST #1 :  
LOT COVERAGE**



Lot Area :	6,286 sf.
Max Lot Coverage :	1,885.8 sf. (30%)
<hr/>	
House :	1,410 sf.
Garage :	420 sf.
Sub-total :	1,830 sf. (29.1%)
<hr/>	
Pergola :	308 sf.
Total Coverage:	2,138 sf. (34.01%)
<hr/>	
Total Coverage :	2,138 sf.
Max Lot Coverage :	- 1,885.8 sf.
Variance Request :	252.2 sf. (4.01%)



832 Ann Street  
1,410 sf.



**VARIANCE REQUEST #2 :  
ACCESSORY STRUCTURE**

Max Area :	500 sf.
Garage :	420 sf.
Pergola :	308 sf.
<hr/>	
Total Area:	728 sf.
<hr/>	
Total Area :	728 sf.
Max Area :	- 500 sf. 
Variance Request :	228 sf. 

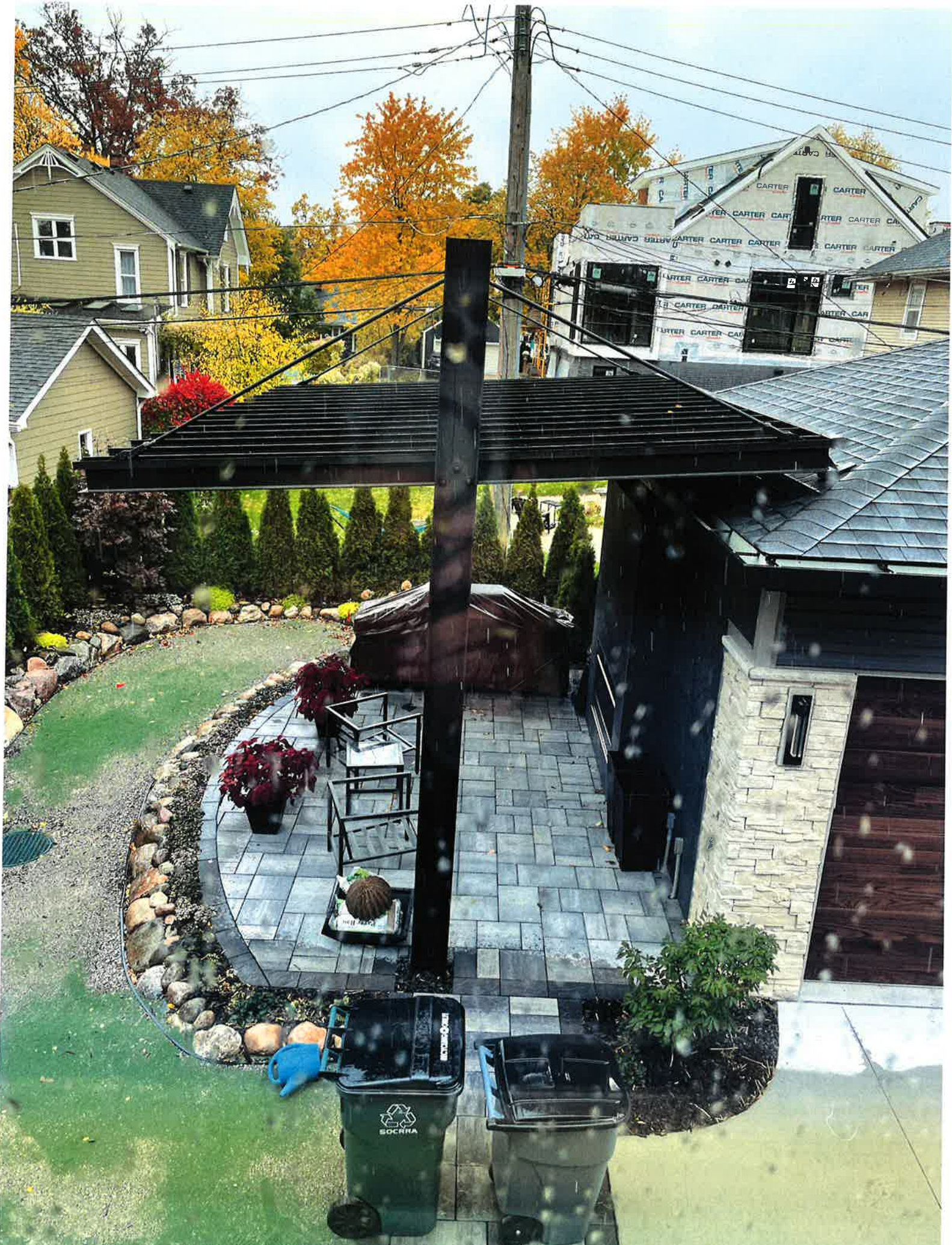


832 Ann Street









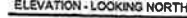
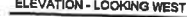












1. CONTRACTOR SHALL BE RESPONSIBLE TO FIELD VERIFY ALL MEASUREMENTS PRIOR TO DEVELOPMENT OF SHOP DRAWINGS AND FABRICATION OF STEEL STRUCTURE.
2. PROPERTY OWNER SHALL BE RESPONSIBLE FOR ALL CITY REVIEWS, APPROVALS, PERMITS, FEES, AND INSPECTIONS
3. CONTRACTOR SHALL BE RESPONSIBLE FOR SUPPLYING AND INSTALLING STEEL STRUCTURE, INCLUDING LAYOUT, BEAMS, STRUTS AND DECORING PER DESIGN AND TO MEET CITY OF DENVIRNHAM BUILDING CODE.
4. STEEL DESIGN TO BE:  
1) VERTICAL STEEL BEAM  
6" HORIZONTAL STEEL BEAM  
8" X 12" STEEL BASE PLATE
5. CONTRACTOR SHALL BE RESPONSIBLE FOR TECHNICAL & STRUCTURAL DESIGN AND PROVIDING ACCURATE STRUCTURAL AND SHOP DRAWINGS FOR CONSTRUCTION OF PAVILION STRUCTURE.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING AND COORDINATING WITH ALL PERTINENT UTILITY COMPANIES TO OBTAIN PERMISSION FOR ACCESSING TO MAKE THEMSELVES FAMILIAR WITH ALL UNDERGROUND UTILITIES, PIPES AND STRUCTURES. CONTRACTOR SHALL TAKE SOLE RESPONSIBILITY FOR ANY DAMAGES INCURRED DUE TO DAMAGE OF SAO UTILITIES OR STRUCTURES.
7. CONTRACTOR SHALL NOT WILLFULLY PROCEED WITH CONSTRUCTION AS DESIGNED WHEN IT IS OBVIOUS THAT EXISTING OBSTRUCTIONS AND/OR GRADE DIFFERENCES EXIST. SUCH CONSTRUCTION VIOLATIONS MUST BE BROUGHT TO THE ATTENTION OF THE OWNERS REPRESENTATIVE. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.
8. ANY DISCREPANCIES BETWEEN DIMENSIONED LAYOUTS AND EXISTING FIELD CONDITIONS SHALL BE REPORTED TO THE OWNERS REPRESENTATIVE. ANY ATTEMPT TO HAVE SUCH DISCREPANCIES KNOWN WILL RESULT IN CONTRACTORS LIABILITY AND LIABILITY FOR ANY CHANGES AND ASSOCIATED COSTS.
9. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH SUBCONTRACTORS AS REQUIRED TO ACCOMPLISH CONSTRUCTION INSTALLATION OPERATIONS.
10. CONTRACTOR SHALL PROVIDE AND MAINTAIN POSITIVE SURFACE DRAINAGE FOR EXISTING DRIVEWAY, PROPOSED PATIO AND LANDSCAPE.
11. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY EXISTING MATERIALS THAT ARE DAMAGED DURING CONSTRUCTION.

The issue and design elements mentioned above, and the graphics displayed throughout the site, were created by the design team for the project. The design team was responsible for the creative use of the website and the use of the website to promote the project. The design team was responsible for the creative use of the website and the use of the website to promote the project.

**Kevin & Toni Ratliff**  
832 Ant Street  
Birmingham, Michigan

NAME / Revision

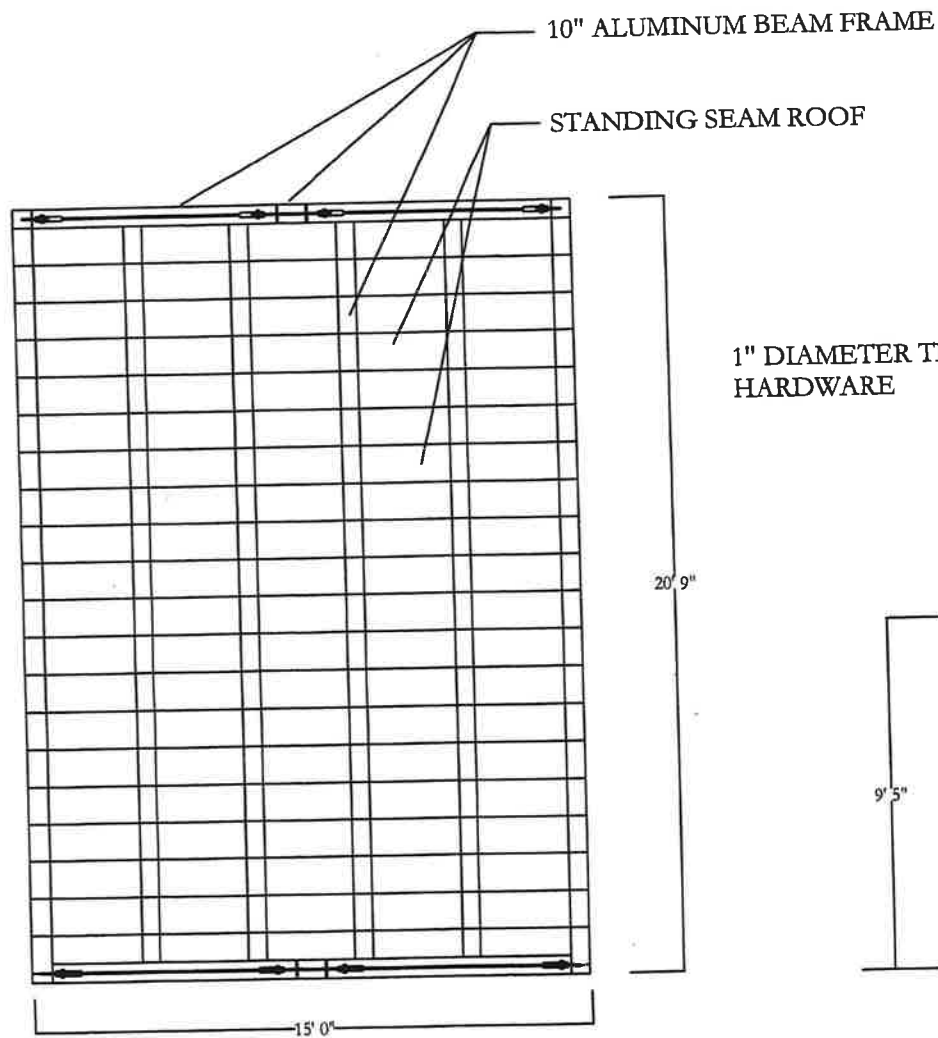
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Checked by  
JTE  
Date  
May 11, 2021

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As Shown  
Sheet  
LP-2

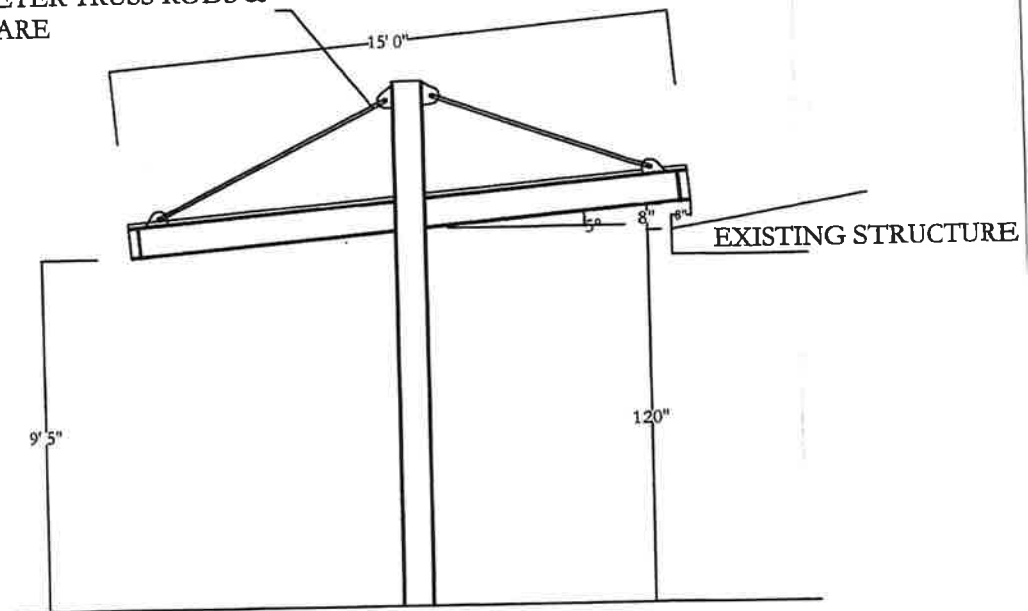


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ON THE NEW PROGRAM

# PERGOLA



1" DIAMETER TRUSS RODS & HARDWARE



PROJECT: Radloff Residence		San Marine Iron Co. 21401 HOOVER ROAD WARREN, MICHIGAN 48089 TELEPHONE: 248.268.9525 FACSIMILE: 586.910.4804 www.sanmarineiron.com	
CLIENT: J. Ruppert Partners, Inc.		DATE: JUNE	
SCALE:	SMIC PROJECT#:	APPROVED BY:	
DRAWN BY:	CHECKED BY:	APPROVED BY:	

# **CASE DESCRIPTION**

**2648 Dorchester (23-12)**

**Hearing date: April 11, 2023**

**Appeal No. 23-12:** The owner of the property known as **2648 Dorchester**, requests the following variance to construct a new single-family home with an attached garage:

A. Chapter 126, Article 4, Section 4.74(C) of the Zoning Ordinance requires that a minimum distance between principal residential buildings on adjacent lots to be 14.00 feet or 25% of the lot width, whichever is larger. The required is 14.00 feet. The proposed is 13.42 feet. Therefore, a variance of 0.58 feet is requested.

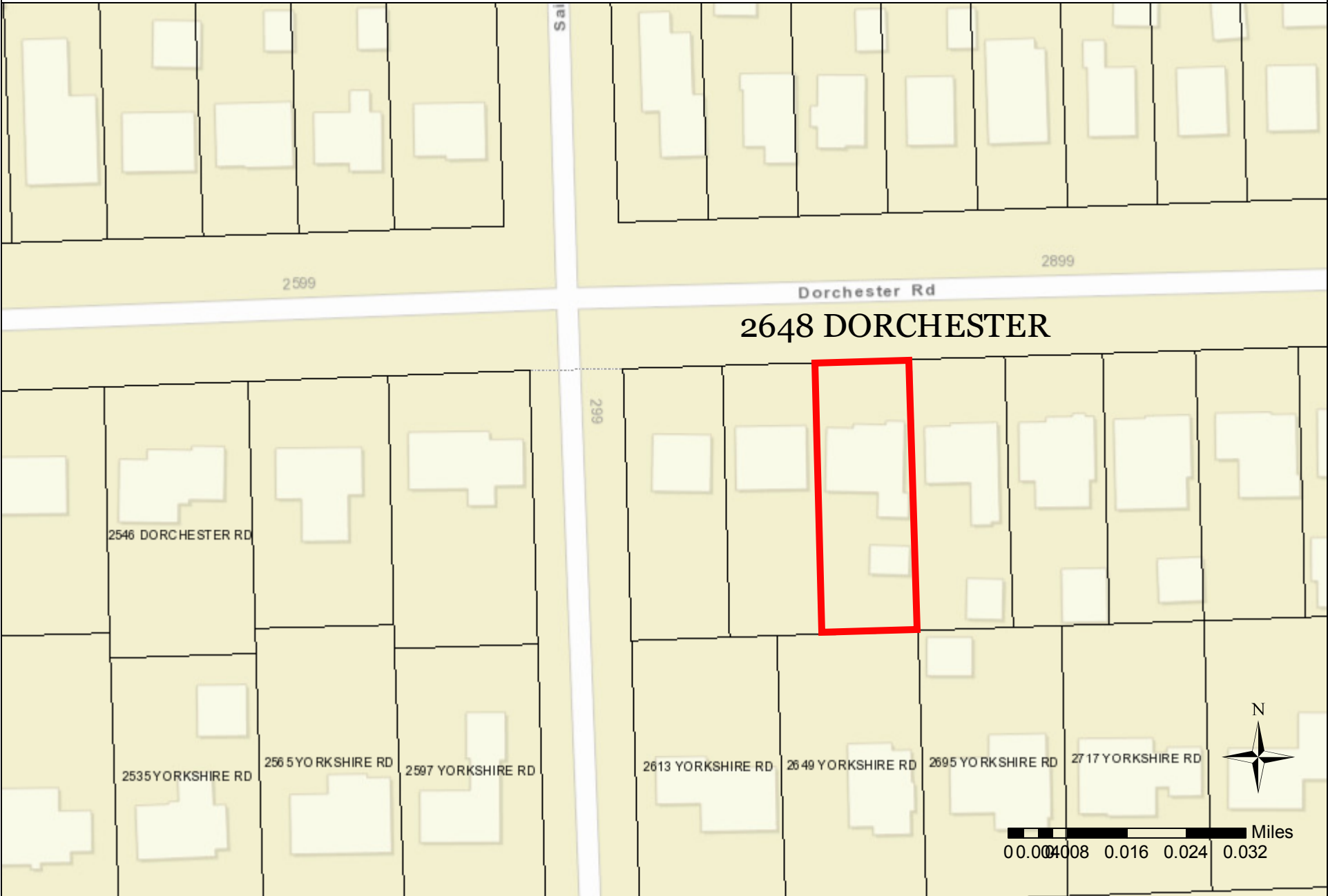
**Staff Notes:** The applicant is looking to construct a new single family home with an attached garage.

This property is zoned R2 – Single family residential.

---

Jeff Zielke, NCIDQ, LEED AP  
Assistant Building Official

2648 DORCHESTER MAP



**CITY OF BIRMINGHAM**  
**Community Development - Building Department**  
151 Martin Street, Birmingham, MI 48009  
Community Development: 248-530-1850  
Fax: 248-530-1290 / [www.bnamgov.org](http://www.bnamgov.org)

**APPLICATION FOR THE BOARD OF ZONING APPEALS**

Application Date: 2-10-23

Hearing Date: 3-14-23

Received By: HT

Appeal #: 23-002

Type of Variance:	<input type="checkbox"/> Interpretation	<input type="checkbox"/> Dimensional	<input type="checkbox"/> Land Use	<input type="checkbox"/> Sign	<input type="checkbox"/> Admin Review
-------------------	---	--------------------------------------	-----------------------------------	-------------------------------	---------------------------------------

**I. PROPERTY INFORMATION:**

Address: 2648 Dorchester Lot Number: 90 Sidwell Number: \_\_\_\_\_

**II. OWNER INFORMATION:**

Name: Babi Construction Inc.

Address: 1250 Romney Rd City: Bloomfield Hills State: MI Zip code: 48304

Email: Babibuilders@yahoo.com Phone: 248-506-6927

**III. PETITIONER INFORMATION:**

Name: Same ↑ ↑ ↑ Firm/Company Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

**IV. GENERAL INFORMATION:**

The Board of Zoning Appeals typically meets the second Tuesday of each month. Applications along with supporting documents must be submitted on or before the 12<sup>th</sup> day of the month preceding the next regular meeting. Please note that incomplete applications will not be accepted.

To insure complete applications are provided, appellants must schedule a pre-application meeting with the Building Official, Assistant Building Official and/or City Planner for a preliminary discussion of their request and the documents that will be required to be submitted. Staff will explain how all requested variances must be highlighted on the survey, site plan and construction plans. Each variance request must be clearly shown on the survey and plans including a table as shown in the example below. All dimensions to be shown in feet measured to the second decimal point.

The BZA application fee is **\$360.00** for single family residential; **\$560.00** for all others. This amount includes a fee for a public notice sign which must be posted at the property at least 15-days prior to the scheduled hearing date.

**Variance Chart Example**

Requested Variances	Required	Existing	Proposed	Variance Amount
Variance A, Front Setback	25.00 Feet	23.50 Feet	23.50 Feet	1.50 Feet
Variance B, Height	30.00 Feet	30.25 Feet	30.25 Feet	0.25 Feet

**V. REQUIRED INFORMATION CHECKLIST:**

- ☐ One original and nine copies of the signed application
- ☐ One original and nine copies of the signed letter of practical difficulty and/or hardship
- ☐ One original and nine copies of the certified survey
- ☐ 10 folded copies of site plan and building plans including existing and proposed floor plans and elevations
- ☐ If appealing a board decision, 10 copies of the minutes from any previous Planning, HDC, or DRB board meeting

**VI. APPLICANT SIGNATURE**

Owner hereby authorizes the petitioner designated below to act on behalf of the owner.

By signing this application, I agree to conform to all applicable laws of the City of Birmingham. All information submitted on this application is accurate to the best of my knowledge. Changes to the plans are not allowed without approval from the Building Official or City Planner.

\*By providing your email to the City, you agree to receive news and notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.

Signature of Owner: Riad Bahl

Date: 2/8/2023

Signature of Petitioner: Riad Bahl

Date: 2/8/2023



**CITY OF BIRMINGHAM  
BOARD OF ZONING APPEALS  
RULES OF PROCEDURE**

**ARTICLE I - Appeals**

- A. Appeals may be filed under the following conditions:
1. A property owner may appeal for variance, modification or adjustment of the requirements of the Zoning Ordinance.
  2. A property owner may appeal for variance, modification or adjustment of the requirements of the Sign Ordinance.
  3. Any aggrieved party may appeal the decision of the Planning Board and/or the Building Official in accordance with the City of Birmingham Zoning Ordinance, Article Eight, Section 8.01 (D) Appeals. If an appellant requests a review of any determination of the Building Official, a complete statement setting forth the facts and reasons for the disagreement with the Building Official's determination shall include the principal point, or points on the decision, order or section of the ordinance appealed from, on which the appeal is based.
- B. Procedures of the Board of Zoning Appeals (BZA) are as follows:
1. Regular BZA meetings, which are open to the public, shall be held on the second Tuesday of the month at 7:30 P.M. provided there are pending appeals. There will be a maximum of seven appeals heard at the regular meeting which are taken in the order received. If an appeal is received on time after the initial seven appeals have been scheduled, it will be scheduled to the next regular meeting.
  2. All applications for appeal shall be submitted to the Community Development Department on or before the 12<sup>th</sup> day of the month preceding the next regular meeting. If the 12<sup>th</sup> falls on a Saturday, Sunday, or legal holiday, the next working day shall be considered the last day of acceptance.
  3. All property owners and occupants within 300 feet of the subject property will be given written notice of a hearing by the City of Birmingham.
  4. See the application form for specific requirements. If the application is incomplete, the BZA may refuse to hear the appeal. The Building Official or City Planner may require the applicant to provide additional information as is deemed essential to fully advise the Board in reference to the appeal. Refusal or failure to comply shall be grounds for dismissal of the appeal at the discretion of the Board.
  5. In variance requests, applicants must provide a statement that clearly sets forth all special conditions that may have contributed to a practical difficulty that is preventing a reasonable use of the property.

6. Where the Birmingham Zoning Ordinance requires site plan approval of a project by the City Planning Board before the issuance of a building permit, applicants must obtain preliminary site plan approval by the Planning Board before appeal to the BZA for a variance request. If such appeal is granted by the BZA, the applicant must seek final site plan and design review approval from the Planning Board before applying for a building permit.
  7. An aggrieved party may appeal a Planning Board decision. Such appeal must be made within 30 days of the date of the decision. The BZA, in its discretion, may grant additional time in exceptional circumstances.
  8. Appeals from a decision of the Building Official shall be made within 30 days of the date of the order, denial of permit, or requirement or determination contested. The BZA, in its discretion, may grant additional time in exceptional circumstances.
  9. An appeal stays all proceedings in accordance with Act #110, Public Acts of 2006, Article VI, Section 125.3604 (3).
- C. The order of hearings shall be:
1. Presentation of official records of the case by the Building Official or City Planner as presented on the application form.
  2. Applicant's presentation of his/her case—the applicant or his/her representative must be present at the appeal hearing.
  3. Interested parties' comments and view on the appeal.
  4. Rebuttal by applicant.
  5. The BZA may make a decision on the matter or request additional information.
- D. Motions and Voting
1. A motion is made to either grant or deny a petitioner's request
    - a) For a motion to grant or deny a non-use variance request, the motion must receive four (4) affirmative votes to be approved.
    - b) For a motion to grant or deny a use variance request, the motion must receive five (5) affirmative votes to be approved.
    - c) For a motion to grant or deny an appeal of a decision or order by an administrative official or board, the motion must receive four (4) affirmative votes to be approved.
  2. When a motion made is to approve or deny a petitioner's request and if there is a tie vote, then the vote results in no action by the board and the petitioner shall be given an opportunity to have his or her request heard the next regularly scheduled meeting when all the members are present.
-



3. When there are less than seven (7) members of the board present for a meeting, then a petitioner requesting a use variance shall be given an opportunity at the beginning of the meeting to elect to have it heard at the next regularly scheduled meeting.
4. When there are less than six (6) members present for a meeting, then all petitioners shall be given an opportunity at the beginning of the meeting to elect to have the request heard at the next regularly scheduled meeting.

## **ARTICLE II - Results of an Appeal**


- A. The Board may reverse, affirm, vary or modify any order, requirement, decision or determination as in its opinion should be made, and to that end, shall have all the powers of the officer from whom the appeal has been taken.
- B. The decisions of the Board shall not become final until the expiration of five (5) days from the date of entry of such orders or unless the Board shall find that giving the order immediate effect is necessary for the preservation of property and/or personal rights and shall so certify on the record.
- C. Whenever any variation or modification of the Zoning Ordinance is authorized by resolution of the BZA, a Certificate of Survey must be submitted to the Community Development Department with the building permit application. A building permit must be obtained within one year of the approval date.
- D. Failure of the appellant, or his representative, to appear for his appeal hearing will result in the appeal being adjourned to the next regular meeting. If, after notice, the appellant fails to appear for the second time, it will result in an automatic withdrawal of the appeal. The appellant may reapply to the BZA.
- E. Any applicant may, with the consent of the Board, withdraw his application at any time before final action.
- F. Any decision of the Board favorable to the applicant is tied to the plans submitted, including any modifications approved by the Board at the hearing and agreed to by the applicant, and shall remain valid only as long as the information or data provided by the applicant is found to be correct and the conditions upon which the resolution was based are maintained.

## **ARTICLE III - Rehearings**

- A. No rehearing of any decision of the Board shall be considered unless new evidence is submitted which could not reasonably have been presented at the previous hearing or unless there has been a material change of facts or law.
-

B. Application or rehearing of a case shall be in writing and subject to the same rules as an original hearing, clearly stating the new evidence to be presented as the basis of an appeal for rehearing.

I certify that I have read and understand the above rules of procedure for the City of Birmingham Board of Zoning Appeals.

  
Signature of Applicant

City of Birmingham BZA  
RE: 2648 Dorchester Birmingham

Hello BZA,

This Letter describes the hardship and practical difficulty we are experiencing in designing our house at 2648 Dorchester Rd. The neighbor directly to the east at 2676 Dorchester currently has a side yard setback of 4.87 Feet which does not meet the minimum side yard setback of 5 feet. The neighbor directly to the west at 2630 Dorchester has a side yard setback of 7.88 Feet and does not meet their total setbacks of 14 Feet.

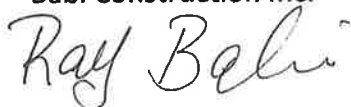
Our currently designed house for 2648 Dorchester proposes the side setbacks to be 9.13' on the east (left) side and 5.54' on the west (right) for a total side yard setback of 14.67', 0.67 Feet more than the 14 feet total required. Both neighbors on each side do not meet their required setbacks and are hindering our building envelope for our proposed house. We are meeting all other setbacks/ordinances. If the neighboring lots were vacant we would not need the variance and approving our variance will not cause any hardship for future developments to either neighbor.

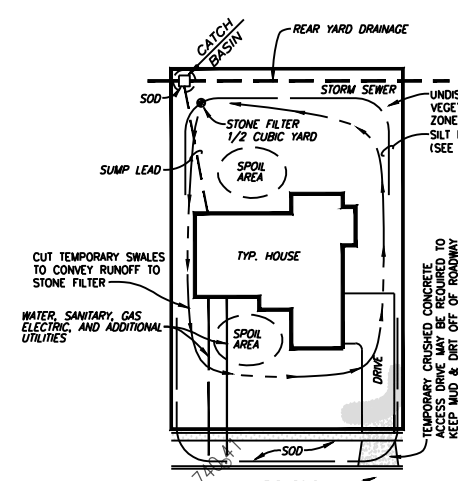
We are requesting a variance of 0.58 Feet into the West(right) side yard setback for a total distance between structures of 13.42 Feet.

Requested Variance	Required	Proposed	Variance Amount
Variance A: Distance between structures	14 Feet	13.42 Feet	0.58 Feet

Thank you,

Ray Babi  
Babi Construction Inc.



**SEQUENCE OF CONSTRUCTION**

1. CONSTRUCT SILT FENCE. TEMPORARY SHAKES WILL BE INSTALLED PRIOR TO BASEMENT EXCAVATION.
2. EXCAVATED MATERIAL WILL BE DEPOSITED BETWEEN THE SILT FENCE AND TEMPORARY SHAKES AS SHOWN.
3. THE TEMPORARY CONTROLS, WHEN USED, WILL BE MAINTAINED OR REBUILT. THIS WILL REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETE, AND THE EXCAVATED AREA IS STABILIZED WITH VEGETATION.
4. DIRECT SURFACE RUN-OFF TOWARDS CENTER OF SILT FENCE.
5. ALLOW OPENING IN SILT FENCE FOR CONSTRUCTION TRAFFIC.
6. PRIOR TO FINAL GRADING, REVEALATION IN SLOPE, SLOPE AREAS, SLOPES GREATER THAN 1% AND 10' AROUND CATCH BASINS.
7. AFTER BASEMENT HAS BEEN REVEALED, SET ALL SLOPES 1:5 OR GREATER WITH A Mixture OF THE FOR TEMPORARY SEAL.

**NOTE:**

NORTH COUNTY 18 HOURS PRIOR TO EXCAVATION OF BASEMENT

**SILT FENCE DETAIL**

(NO SCALE)

**SOIL EROSION DETAILS**

(NO SCALE)

**GRADING NOTE**

- 1.) ALL PROPOSED GRADING SHALL BE CONTAINED WITHIN THE PROPERTY LINES OF THIS LOT, AND SHALL NOT ENCRUCH UPON ANY ADJACENT PROPERTIES.

- 2.) SOIL EROSION CONTROLS ARE REQUIRED TO BE INSTALLED AROUND THE ENTIRE PERIMETER OF SOIL DISRUPTION PER THE COUNTY.

NOTE: SIDEYARD DRAINAGE SHALL NOT DRAIN ONTO ADJACENT LOT(S). (TYPICAL)

**ATTENTION BUILDERS/CONTRACTORS**

1. THIS DRAWING IS NOT INTENDED TO REPRESENT A BOUNDARY OR LOT SURVEY, AND SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES OR LOCATE IMPROVEMENTS.

2. U.L.C. ASSUMES NO RESPONSIBILITY FOR THE GIVEN BUILDING DIMENSIONS. DIMENSIONS MUST BE VERIFIED BY OWNER/BUILDER PRIOR TO CONSTRUCTION.

3. THIS PLAN SHALL NOT BE USED TO SET FOUNDATIONS. ARCHITECTURAL PLANS MUST BE USED FOR CONSTRUCTION OF FOUNDATION.

4. UPON ACCEPTANCE AND SUBMITTAL OF THIS PLAN FOR PERMITS, THE OWNER/BUILDER ACKNOWLEDGES HE HAS REVIEWED THE PLAN, AND THAT IT MEETS THE ESTABLISHED REQUIREMENTS.

5. APPROVAL OF THIS PLOT PLAN DOES NOT RELIEVE THE OWNER/BUILDER OF COMPLIANCE WITH ALL CODES AND ORDINANCES THAT SHALL APPLY.

6. SETBACKS SHOWN ON THIS DRAWING HAVE BEEN OBTAINED FROM THE MUNICIPALITY. ANY DEED OR SPECIAL RESTRICTIONS - (i.e. SUBDIVISION RESTRICTIONS, HOUSE SIZE, BUILDING LOCATION, etc.) MUST BE SUPPLIED TO U.L.C. IN WRITING WHEN PLOT PLAN IS ORDERED. U.L.C. WILL NOT BE RESPONSIBLE FOR INTERPRETING SUBDIVISION RESTRICTIONS.

7. U.L.C. RECOMMENDS A .50' EXTRA ALLOWANCE TO ALL MINIMUM SETBACKS, WHERE THE OWNER / BUILDER DOES NOT FOLLOW THIS RECOMMENDATION, THE OWNER / BUILDER AGREES TO HOLD U.L.C. HARMLESS FOR STRUCTURE ENCRUCHMENT (S) INTO THE MINIMUM SETBACK.

8. UTILITY LEAD LOCATIONS AS SHOWN ARE APPROXIMATE. AS-BUILT LOCATIONS MUST BE OBTAINED FROM THE LOCAL MUNICIPALITY.



3 WORKING DAYS BEFORE YOU DIG

CALL MISS DIG

1-800-482-7171

(TOLL FREE) for the location of underground utilities

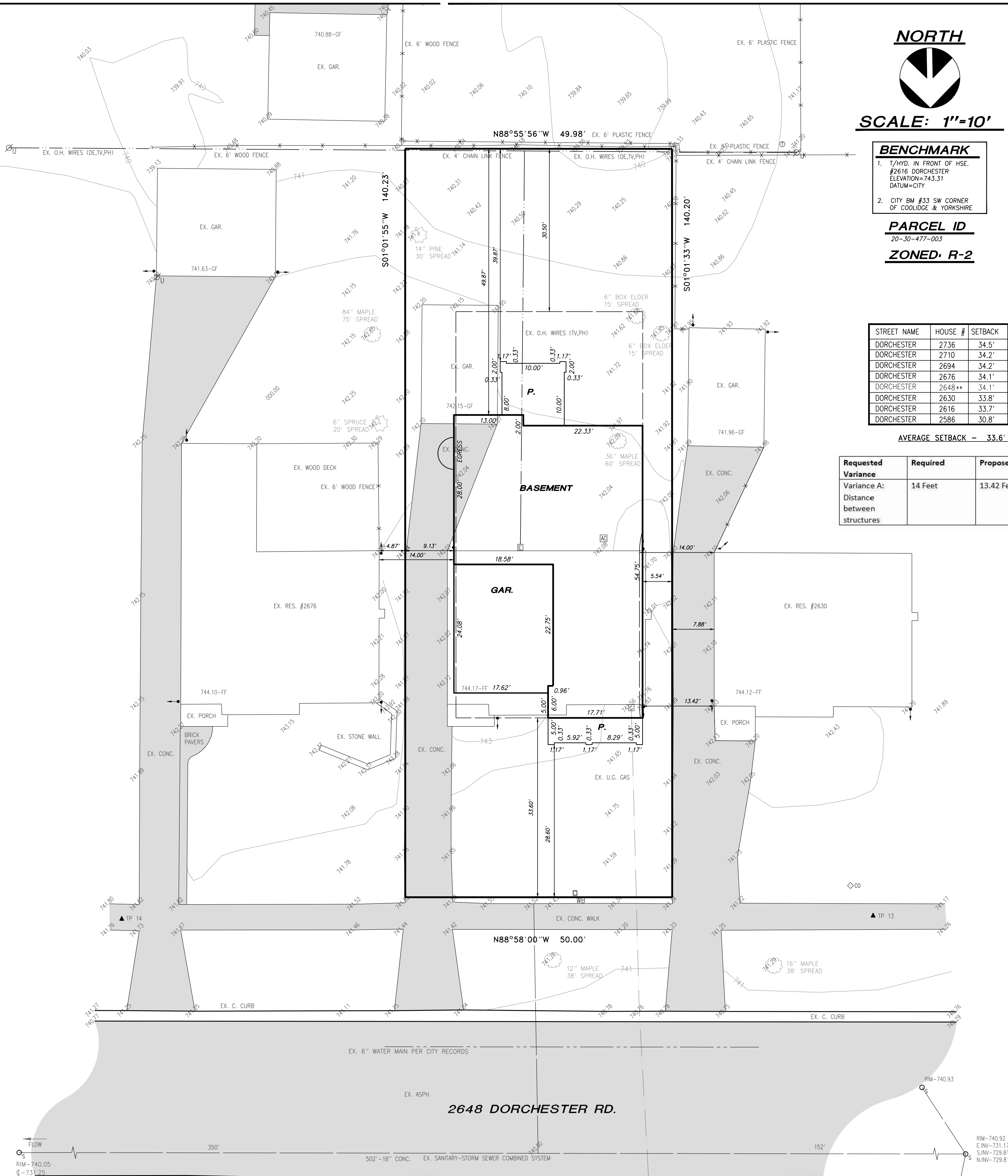
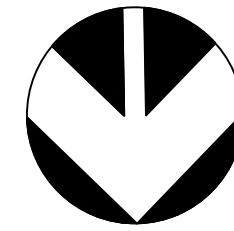
Contractor Note:  
The locations of existing underground utilities are shown in an approximate way only. The contractor shall determine the exact location of all existing utilities before commencing work. He agrees to be fully responsible for any and all damages which might be occasioned by his failure to exactly locate and preserve any and all underground utilities.

**CAUTION**

CONTRACTOR TO VERIFY GROUND WATER PRIOR TO CONSTRUCTION.

U.L.C. RECOMMENDS SOIL ANALYSIS TO BE PERFORMED BY A PROFESSIONAL.

CONTRACTOR TO MONITOR EXCAVATION FOR SOIL/GROUND WATER CONDITIONS.

**NORTH****SCALE: 1"=10'****BENCHMARK**

1. T/H.D. IN FRONT OF HSE. #2616 DORCHESTER ELEVATION=743.31 DATUM=CITY
2. CITY BM #33 SW CORNER OF COOLIDGE & YORKSHIRE

**PARCEL ID**

20-30-477-003

**ZONED: R-2**

STREET NAME	HOUSE #	SETBACK	EAVE HT.	PEAK HT.
DORCHESTER	2736	34.5'	9.7'	16.3'
DORCHESTER	2710	34.2'	8.8'	17.0'
DORCHESTER	2694	34.2'	9.9'	16.7'
DORCHESTER	2676	34.1'	8.8'	15.9'
DORCHESTER	2648**	34.1'	10.1'	17.0'
DORCHESTER	2630	33.8'	9.7'	16.9'
DORCHESTER	2616	33.7'	9.7'	21.6'
DORCHESTER	2586	30.8'	8.9'	15.9'

AVERAGE SETBACK - 33.6' DORCHESTER

Requested Variance	Required	Proposed	Variance Amount
Variance A: Distance between structures	14 Feet	13.42 Feet	0.58 Feet

**LEGEND**

- 100 EXISTING CONTOURS
- 100.00 EXISTING GRADE
- 0.0 AS-BUILT GRADE
- 0.0 PROPOSED GRADE
- EXISTING PAVEMENT
- PROPOSED PAVEMENT
- S-S PROPOSED SILT FENCE

**TOPOGRAPHY LEGEND**

- WATER MAIN
- STORM SEWER
- SANITARY SEWER
- EASEMENT
- EX. U.G. ELEC.
- EX. O.H. WIRES
- EX. U.G. TELE.
- EX. U.G. GAS
- ROUND CATCH BASIN
- SQUARE CATCH BASIN
- UTILITY MANHOLE
- STORM MANHOLE
- END OF PIPE
- SANITARY MANHOLE
- CLEAN-OUT
- MANHOLE
- HYDRANT
- GW GATE VALVE WELL
- WATER VALVE
- WB WATER BOX
- VALVE
- LIGHT POLE
- AIR CONDITIONER
- MAIL BOX
- FENCE POST
- DOWN SPOUT
- SB SOIL BORING
- EPAD ELEC TRANS PAD
- UTILITY POLE
- GUY ANCHOR
- GUY POLE
- SIGN POST
- SPRINKLER HEAD
- GAS METER
- TELEPHONE RISER
- ELECTRICAL RISER
- CABLE TV RISER
- FINISHED FLOOR
- GARAGE FLOOR
- BASEMENT FLOOR
- CONC. CONCRETE
- MMN SET MAG. MAIL
- SB SET IRON BAR
- PB FOUND IRON BAR
- MN FOUND C. MONUMENT

**NOTE:**

\*\*\*CONTRACTOR TO CONFIRM BASEMENT WALL HEIGHT, FIRST FLOOR ELEVATION AND BASEMENT FLOOR ELEVATION PRIOR TO THE START OF CONSTRUCTION!!!

URBAN LAND CONSULTANTS WILL SET HIGH GRADE/BRICKLEDGE CONTRACTOR TO USE GRADE SET ON SITE.

WEST BIG BEAVER ROAD  
NORTH ADAMS ROAD  
COOLIDGE HWY.  
Buckingham  
Dorchester  
Yorkshire  
ETON  
30  
EAST MAPLE ROAD  
LOCATION MAP  
SCALE: 4" = 1 MILE

BY:	DATE	ADDITIONS AND/OR REVISIONS
KG	221114-9208	
Job No.	221114-9208	
Date	1-9-23	
Scale	1"=10'	
Drawn	CV	
Check	R.L.M.D.H.	
Sheet	1 OF 1	
Fld. Bk.	2-8-23	
	2-7-23	

**BABI CONSTRUCTION**P.O. BOX 974  
BIRMINGHAM, MI 48012  
248-506-6927

PHONE 586 731-8030  
URBAN LAND CONSULTANTS  
PLANNERS LAND SURVEYORS  
CIVIL ENGINEERS  
8800 23 MILE ROAD  
SHELLEY TWP., MI 48316-4516



# 2648 DORCHESTER BIRMINGHAM, MI

## GENERAL NOTES

- THE ATTACHED PLANS & SPECIFICATIONS ARE THE SOLE PROPERTY OF JDI ARCHITECTS & PLANNERS. ANY UNAUTHORIZED USE OF THESE PLANS WITHOUT PRIOR WRITTEN CONSENT OF JDI ARCHITECTS & PLANNERS IS STRICTLY PROHIBITED.
- JDI ARCHITECTS & PLANNERS DESIGNS & BUILDS HOUSING AS SET FORTH BY THE FORMAT AND PROVISIONS OF THE MICHIGAN RESIDENTIAL CODE (2015 MRC), AND THE NATIONAL ELECTRIC CODE (NEC). ANY NON-CONFORMING DOCUMENTS DISCOVERED BY THE CONTRACTOR OR HIS AGENTS SHALL BE CALLED TO THE IMMEDIATE ATTENTION OF JDI ARCHITECTS & PLANNERS.
- THESE PLANS ARE SUBJECT TO MODIFICATIONS TO MEET CODE REQUIREMENTS AND/OR TO FACILITATE MECHANICAL/ELECTRICAL/PLUMBING INSTALLATION AND/OR TO IMPLEMENT DESIGN IMPROVEMENTS. ANY INTENTION TO MODIFY THESE PLANS MUST BE APPROVED IN WRITING BY JDI ARCHITECTS & PLANNERS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AFFECTING CONTRACTOR'S PRODUCTS, INSTALLATIONS, OR FABRICATIONS IN THE FIELD PRIOR TO EXPEDITING THE CONSTRUCTION OF SUCH WORK. FIELD VERIFY ALL DIMENSIONS - DO NOT SCALE DRAWINGS! CONTRACTOR IS RESPONSIBLE FOR SURVEYING THE PROJECT AND BECOMING FAMILIAR WITH THE EXISTING CONDITIONS AND SCOPE OF WORK, INCLUDING BUT NOT LIMITED TO SITE AND SOIL BEARING CONDITIONS.
- ERRORS AND OMISSIONS WHICH MAY OCCUR IN THE CONTRACT DOCUMENTS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT, IN WRITING, AND WRITTEN INSTRUCTION SHALL BE OBTAINED PRIOR TO PROCEEDING WITH CONSTRUCTION. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY ERRORS, DISCREPANCIES, OR OMISSIONS FOR WHICH THE CONTRACTOR FAILED TO NOTIFY THE ARCHITECT PRIOR TO CONSTRUCTION AND/OR FABRICATION OF THE WORK.

## DESIGN LOADS:

WIND LOAD: 90 MPH (3 SECOND GUST)  
FLOOR JOIST LOADING CRITERIA: EXT. DECK JOIST LOADING CRITERIA

FIRST FLOOR LOADING (WOOD/CARPET):  
LIVE LOAD 40 P.S.F.  
DEAD LOAD 15 P.S.F.  
TOTAL LOAD 55 P.S.F.  
LIVE LOAD DEFLECTION L/480  
TOTAL LOAD DEFLECTION L/360

SECOND FLOOR LOADING (WOOD/CARPET):  
LIVE LOAD 40 P.S.F.  
DEAD LOAD 10 P.S.F.  
TOTAL LOAD 50 P.S.F.  
LIVE LOAD DEFLECTION L/480  
TOTAL LOAD DEFLECTION L/360

FLOOR W/ CERAMIC TILE:  
LIVE LOAD 40 P.S.F.  
DEAD LOAD 25 P.S.F.  
TOTAL LOAD 65 P.S.F.  
LIVE LOAD DEFLECTION L/480  
TOTAL LOAD DEFLECTION L/360

FLOOR W/ MARBLE:  
LIVE LOAD 40 P.S.F.  
DEAD LOAD 35 P.S.F.  
TOTAL LOAD 75 P.S.F.  
LIVE LOAD DEFLECTION L/480  
TOTAL LOAD DEFLECTION L/720

## LUMBER NOTES:

- ALL CONVENTIONAL FRAMED FLOOR DECKS SHALL BE:  
2 x 10 - #2 HEM FIR, OR BETTER  
2 x 12 - #2 DOUGLAS FIR, OR BETTER.
- ALL COMMON FRAMING LUMBER IS TO MEET THE FOLLOWING MINIMUM SPECIFICATIONS AT 19% MOISTURE CONTENT:

3. MATERIAL	Fb(Psi)	F1(Psi)	Fc(Psi) (PERP.)	E(Psi)
#2 SPRUCE PINE FIR	875	450	425	1,400,000
#2 HEM FIR	850	425	425	1,200,000
#2 DOUGLAS FIR-LARCH (2X12)	850	500	425	1,600,000

- ALL STRUCTURAL COMPOSITE LUMBER (LVL, LSL, PSL) IS TO MEET THE FOLLOWING MINIMUM SPECIFICATIONS:

APPLICATION:	Fb(Psi)	Fc(Psi) (PARALLEL)	Fc(Psi) (PERP.)	E(Psi)
GIRDERS & BEAMS (LVL)	2,400	2,510	750	1,900,000
GIRDERS & BEAMS (PSL)	2,900	2,900	750	2,000,000
RIBBOARDS (LSL)	1,700	1,400	435	1,300,000
COLUMNS (PSL)	2,400	2,500	NA	1,800,000

- ALL GLUE LAMINATED TIMBER (GLU-LAM) IS TO MEET THE FOLLOWING MINIMUM SPECIFICATIONS:

APPLICATION	Fb(Psi)	Fc(Psi) (PARALLEL)	Fc(Psi) (PERP.)	E(Psi)
GIRDERS & BEAMS (LVL, LSL)	2,400	2,400	750	1,700,000
COLUMNS (LSL)	1,600	1,550	560	1,500,000

- OPEN WEB FLOOR TRUSSES:

APPLICATION	Fb(Psi)
TOP & BOTTOM CHORDS	2,250
WEB MEMBERS	950

- ALL JOIST ARE TO BE PRODUCED IN ACCORDANCE WITH THE AMERICAN PLYWOOD ASSOCIATION (APA) AND ENGINEERED WOOD ASSOCIATION (EWS) PERFORMANCE RATED JOIST STANDARDS REFERENCE TABLE #7 FOR APA / EWS CONSISTENT ENGINEERING DESIGN VALUES AND PROPERTIES AS RELATED TO BENDING STIFFNESS, MOMENT CAPACITY, SHEAR CAPACITY, INTERMEDIATE / END REACTIONS ALONG WITH COEFFICIENT OF SHEAR DEFLECTION.

TABLE R703.7.3.1 ALLOWABLE SPANS FOR LINTELS SUPPORTING MASONRY VENEER A,B,C				
SIZE OF STEEL ANGLE (INCHES) A,C	NO STORY ABOVE	ONE STORY ABOVE	TWO STORIES ABOVE	NO. OF 1" OR EQ. REINFORCING BARS B
3 X 3 X 1/4"	6'-0"	4'-6"	3'-0"	1
4 X 3 X 1/4"	8'-0"	6'-0"	4'-6"	1
5 X 3 X 5/16"	10'-0"	8'-0"	6'-0"	2
6 X 3 X 5/16"	14'-0"	9'-6"	7'-0"	2
2-6 X 3 X 5/16"	20'-0"	12'-0"	9'-6"	4

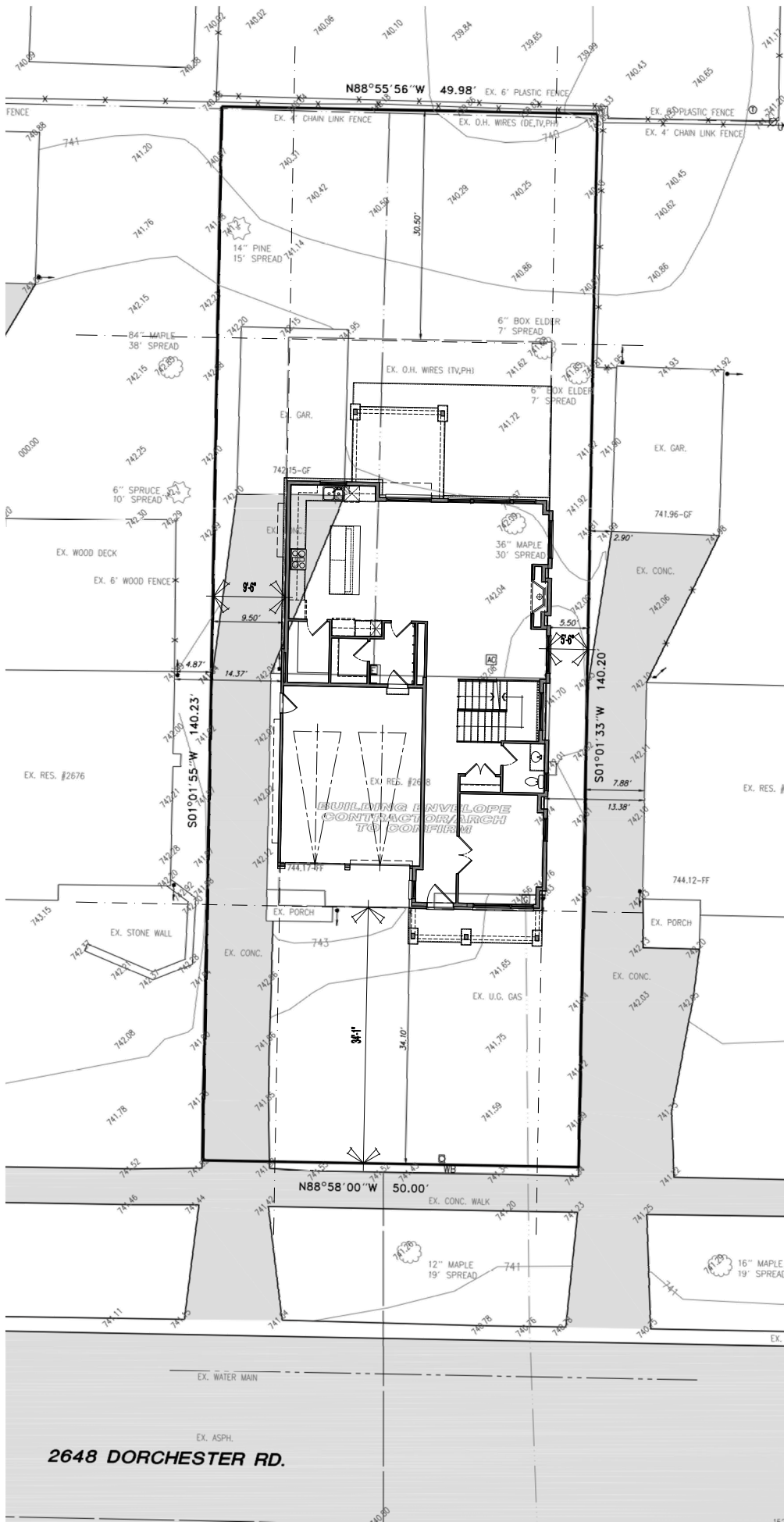
- LONG LEG OF THE ANGLE SHALL BE PLACED IN A VERTICAL POSITION.

- DEPTH OF REINFORCED LINTELS SHALL NOT BE LESS THAN 8 IN. & ALL CELLS OF HOLLOW MASONRY LINTELS SHALL BE GROUTED SOLID. REINFORCING BARS SHALL EXTEND NOT LESS THAN 8 INCHES INTO THE SUPPORT.

- STEEL MEMBERS INDICATED ARE ADEQUATE TYPICAL EXAMPLES. OTHER STEEL MEMBERS MEETING STRUCTURAL DESIGN REQUIREMENTS MAY BE USED.

## SITE NOTES

- FRONT SETBACK: 25.00ft
- 28.50ft AS CALCULATED BY REICHERT SURVEYING, INC.
- 24.43ft TO PORCH AS CALCULATED BY REICHERT SURVEYING, INC.
- SIDE SETBACKS: 5.00ft w/ TOTAL OF MIN. 14.00ft, MIN. 14.00ft BETWEEN BLDG'S.
- 7.77ft & 6.03ft AS CALCULATED BY REICHERT SURVEYING, INC.
- REAR SETBACK: 30'-0"
- HEIGHT RESTRICTION: MAX. 26.00ft TO MID-POINT OF ROOF HEIGHT
- LOT COVERAGE:
  - MINIMUM OPEN SPACE: 40.00 percent
  - MAXIMUM LOT COVERAGE: 30.00 percent
- LOT AREA: 7010.79sf
- ACTUAL LOT COVERAGE: 1423.94sf / 460.09sf
- HOUSE: 1423.94sf
- GARAGE: 460.09sf
- FRONT PORCH: 0.00sf
- OTHER CANTILEVERS: 13.73sf
- TERRACE: 135.83sf
- TOTAL: 2033.71sf
- COVERAGE PERCENTAGE: 29.01 percent

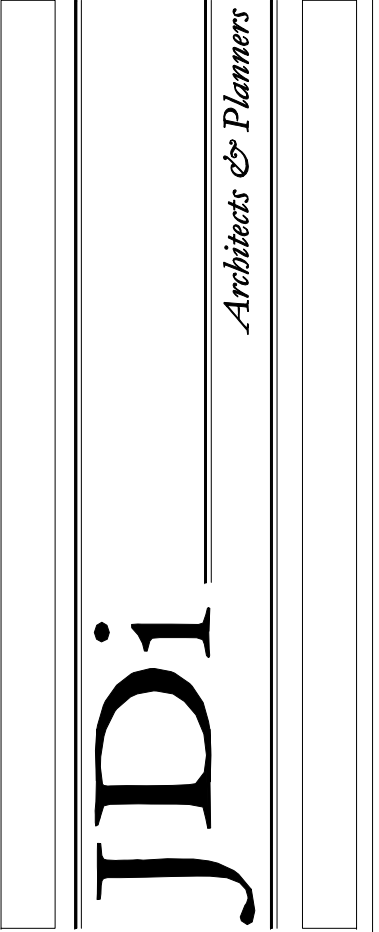


## ABBREVIATIONS

AFF ABOVE FINISH FLOOR	ELEC ELECTRIC or ELECTRICAL	JT JOINT	R RISER	T&G TONGUE AND GROOVED
A/C AIR CONDITIONING	ELEV ELEVATION	JST JOIST	REF REFERENCE	TOC TOP OF CONCRETE
ALT ALTERNATE	EQ EQUAL	KIT KITCHEN	REFR REFRIGERATOR	TOP TOP OF FOUNDATION
ARCH ARCHITECT or ARCHITECTURAL	EXH EXHAUST	LAV LAVATORY	REFR REINFORCE or REINFORCED or	TYP TYPICAL
BSMT BASEMENT	EXT EXTERIOR	LIT LIGHT	REINFORCING	UNF UNFINISHED
BLK BLOCK	FO FACE OF	LNTL LINTEL	RA RETURN AIR	UNO UNLESS NOTED OTHERWISE
BLC BLOCING	FIN FINISH	LVR LOUVER	REV REVISIONS or REVISED	VERT VERTICAL
BD BOARD	PRF PREFACE	MFR MANUFACTURE or MANUFACTURER	RD ROOF DRAIN	WH WATER HEATER
BLDG BUILDING	FLR FLOOR or FLOORING	MAS MASONRY	RFG ROOFING	WC WATER CLOSET
CAB CABINET	FD FLOOR DRAIN	MATL MATERIAL	RM ROOM	WN WINDOW
CPT CARPET	FLUOR FLUORESCENT	MAX MAXIMUM	RO ROUGH OPENING	W/ WITH
CSMT CASEMENT WINDOW	FTG FOOTING	MECH MECHANICAL	SCHED SCHEDULE	W/O WITHOUT
CLO CLOSET	CEILING	FND FOUNDATION	SD SMOKE DETECTOR	WD WOOD
CIR CIRCLE	FUR FUR or FURRED or FURRING	HC MEDICINE CABINET	SECT SECTION	WI WROUGHT IRON
CIRC CIRCUMFERENCE	GA GAUGE	MIN MINIMUM	SGD SLIDING GLASS DOOR	
CLR CLEAR or CLEARANCE	MIR MIRROR	MISC MISCELLANEOUS	SHN SHEATHING	
COL COLUMN	GRF GROUND FAULT CIRCUIT	MISC MISCELLANEOUS	SHT SHEET	
CMU CONCRETE MASONRY UNIT	GRF GROUND FAULT CIRCUIT-WEATHER	MISC MISCELLANEOUS	SH SINGLE HUNG WINDOW	
CONC CONCRETE	GRFVP GROUND FAULT CIRCUIT-WEATHER	MISC MISCELLANEOUS	SH SINGLE HUNG WINDOW	
CONST CONSTRUCTION	GL GLASS GLAZING	NTS NOT TO SCALE	SL SLIDING WINDOW	
CONT CONTINUOUS	GYP BD GYPSUM WALLBOARD or DRYWALL	OC ON CENTER	SOC SOLID CORE	
CJ CONTROL or CONSTRUCTION JOINT	HDW HARDWARE	OA OVERALL	SPKR SPEAKER	
CF CUBIC FOOT	HDR HEADER	OH OVERHEAD	SPEC SPECIFICATIONS	
CY CUBIC YARD	HVAC HEATING-VENTILATING-AIR	OPT OPTIONAL	SQ SQUARE	
DET DETAIL	COND CONDITIONING	PB PUSH BUTTON	STD STANDARD	
DIA DIAMETER	HGT HEIGHT	PNL PANEL	STL STEEL	
DM DIMENSION	HC HOLLOW CORE	PAR PARTITION	STOR STORAGE	
DW DISH WASHER	HORZ HORIZONTAL	PED PEDESTAL	STRUCT STRUCTURAL	
DK DOOR	HB HOSE BIBB	PL PLATE	TEL TELEPHONE	
DH DOUBLE HUNG	INSUL INSULATE or INSULATED or INSULATION	PVC POLYVINYL CHLORIDE	TV TELEVISION	
DS DOWNSPOUT	INT INTERIOR	PREFAB PREFABRICATE or PREFABRICATED	THR THRESHOLD	

## SQUARE FOOTAGE:

FIRST FLOOR: 1439.62 SQUARE FEET  
SECOND FLOOR: 1784.10 SQUARE FEET  
TOTAL: 3223.72 SQUARE FEET



JDi-Architecture.com  
Macomb Twp, MI  
586.604.9343

builder:  
Babi Construction

project:  
2648 Dorchester  
Birmingham, Michigan

sheet description:  
General Notes

DO NOT SCALE DRAWINGS USE  
FIGURED DIMENSIONS ONLY

Architectural drawings are given  
in strict confidence. No use, in  
part or whole, without prior  
written consent of Timothy  
Jahn, AIA is allowed. All rights  
are hereby reserved.

project number

drawn JDI

checked

approved

issued for date  
prelim. review 2023-0119  
review/ easem't. 2023-0202  
stair detail 2023-0213

sheet

G-0.0



PLAN NOTES:

- DO NOT SCALE DRAWINGS. USE PRINTED DIMENSIONS ONLY. IF ANY DISCREPANCY OCCURS NOTIFY THE ARCHITECT IMMEDIATELY FOR DIRECTION.
- WINDOW SIZES NOTED IN PLAN & ELEVATION ARE ASSUMED ROUGH OPENING DENOTED IN INCHES, UNLESS NOTED OTHER. VARIATIONS TO BE VERIFIED WITH ARCHITECT.
- BUILDER SHALL VERIFY W/ WINDOW MANUFACTURER THAT ALL EMERGENCY ESCAPE OR RESCUE WINDOWS HAVE A MINIMUM NET CLEAR OPENABLE AREA AS REQUIRED PER CODE. WINDOWS NOT MEETING THE MINIMUM CODE REQUIREMENTS SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE ARCHITECT.
- ALL SMOKE DETECTORS TO BE INTER-CONNECTED W/ BATTERY BACKUP IN COMPLIANCE WITH 2015 MICHIGAN RESIDENTIAL BUILDING CODE.
- A CARBON MONOXIDE ALARM SHALL BE INSTALLED OUTSIDE OF EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOM.
- PROVIDE MIN. (2) 2 X 4 STUD BLOCKING UNDER ALL POINT LOADS FROM ABOVE (UNLESS NOTED OTHERWISE).
- IT IS THE RESPONSIBILITY OF THE BUILDER TO PROVIDE AND INSTALL AN HVAC SYSTEM THAT IS PROPERLY SIZED AS A TOTAL SYSTEM WITH THE BUILDING ENVELOPE TAKING INTO ACCOUNT GEOGRAPHIC LOCATION AND SOLAR ORIENTATION. IT IS ALSO THE RESPONSIBILITY OF THE BUILDER TO PROVIDE EVIDENCE OF COMPLIANCE WITH THE PROVISIONS OF THE 2015 MICHIGAN UNIFORM ENERGY CODE.
- BUILDER TO CONFIRM ALL FINISH FLOOR SELECTIONS FOR LOCATIONS, THICKNESS AND SETTING BED REQUIREMENTS. CONFIRM METHOD AND DIMENSIONS OF DROPPED FLOORS OR BUILT-UP OF OTHERS TO ACCOMMODATE ALL DISSIMILAR MATERIAL TRANSITIONS PRIOR TO ANY ROUGH FRAMING.
- IF DOORS & WINDOWS ARE NOT DIMENSIONED THEY ARE ASSUMED TO BE EITHER IN THE CENTER OF THE WALL MASS OR MIN. 4 INCHES FROM PERPENDICULAR WALL FOR CASING.
- FIRE SEPARATION: GARAGE SPACE BENEATH HABITABLE ROOMS SHALL BE SEPARATED FROM ALL HABITABLE ROOMS ABOVE BY NOT LESS THAN 5/8-INCH TYPE X GYPSUM BOARD OR EQUIVALENT, WHERE THE SEPARATION IS A FLOOR-CEILING ASSEMBLY, THE STRUCTURE SUPPORTING THE SEPARATION SHALL ALSO BE PROTECTED BY NOT LESS THAN 1/2-INCH GYPSUM BOARD OR EQUIVALENT. ALL OTHER GARAGE SPACE SHALL BE SEPARATED FROM THE RESIDENCE AND ITS ATTIC AREA BY NOT LESS THAN 1/2-INCH GYPSUM BOARD APPLIED TO THE GARAGE SIDE.
- USE OF GYPSUM BOARD AS THE BASE OR BACKER FOR ADHESIVE APPLICATION SHALL CONFORM TO ASTM C 430 OR C 1178. WATER-RESISTANT GYPSUM BOARD SHALL NOT BE INSTALLED OVER A VAPOR RETARDER IN A SHOWER OR TUB COMPARTMENT OR WHERE THERE WOULD BE DIRECT EXPOSURE TO WATER, OR IN AREAS SUBJECT TO CONTINUOUS HIGH HUMIDITY. (SECTION R702.3.8-R702.3.11)
- ALL INTERIOR PARTITION WALLS TO BE 3 1/2" STUD ONLY (UNLESS NOTED OTHERWISE)
- ALL EXTERIOR WALLS TO BE 4" (3 1/2" STUD + 1/2" SHEATHING) OR 6" (5 1/2" STUD + 1/2" SHEATHING) (UNLESS NOTED OTHERWISE)
- BUILDER TO CONFIRM AND COORDINATE EXACT REPLACE MANUFACTURER AND MODEL WITH MANUFACTURERS REQUIREMENTS.
- BUILDER TO CONFIRM EXACT SLIDING DOOR PROVIDED AND COORDINATE ROUGH OPENING HEIGHT AND LOCATE ADJACENT WINDOWS TO MATCH.
- SECTION E902.1.1: ALL BRANCH CIRCUITS THAT SUPPLY 120-VOLT, SINGLE-PHASE, 15- AND 20-AMPERE OUTLETS INSTALLED IN BEDROOMS SHALL BE PROTECTED BY A COMBINATION TYPE OR BRANCH / FEEDER TYPE ARC-FAULT CIRCUIT INTERRUPTER INSTALLED TO PROVIDE PROTECTION OF THE ENTIRE ARC FAULT BRANCH CIRCUIT INTERRUPTER DEVICES SHALL BE COMBINATION TYPE. (SEE N.E.C. 240.20 FOR MORE INFORMATION)
- WINDOW SILLS (R612.2) - WHERE THE OPENING OF AN OPERABLE WINDOW IS LOCATED MORE THAN 72 INCHES ABOVE FINISHED GRADE, THE LOWEST PART OF THE CLEAR OPENING OF THE WINDOW SHALL BE A MINIMUM OF 24 INCHES ABOVE THE FINISHED FLOOR OF THE ROOM IN WHICH THE WINDOW IS LOCATED. GLAZING BETWEEN THE FLOOR AND 24 INCHES SHALL BE FIXED OR HAVE OPENINGS THROUGH WHICH A 4-INCH DIA. SPHERE CANNOT PASS. PER SECTION R612.2 OF MICHIGAN RESIDENTIAL CODE. WINDOW MANUFACTURER TO VERIFY.
- ALL ANGLED WALLS [OTHER THAN THOSE AT 90°] SHALL BE CONSIDERED TO BE AT 45° UNLESS NOTED OTHERWISE
- ALL STUDS AT EXTERIOR AND INTERIOR WALLS SHALL BE 2x4 UNLESS OTHERWISE NOTED
- ALL STUDS AT EXTERIOR WALLS AND INTERIOR BEARING WALLS TO BE FRAMED AT 16" O.C. UNLESS NOTED OTHERWISE
- PROVIDE DOUBLE 2x12 TOP PLATES AT ALL LOAD BEARING WALLS.
- PROVIDE A 1-3/8" OR LARGER SOLID CORE WOOD DOOR, SOLID CORE STEEL DOOR OR HONEYCOMB CORE STEEL DOOR, OR 20 MINUTE FIRE-RATED DOOR EQUIPPED WITH A SELF-CLOSING DEVICE BETWEEN GARAGE AND LIVING SPACE IN ACCORDANCE WITH THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODE.
- PROVIDE 5/8" DRYWALL TYPE AT COMMON GARAGE WALLS.
- PROVIDE 1/2" DRYWALL AT WALLS, CEILING AND UNDERSIDE OF STAIR ASSEMBLY ACCESSIBLE SPACE UNDER STAIRS IN ACCORDANCE WITH THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODE.
- PROVIDE THERMO-PLY SHEATHING AND BATT INSULATION FILLING ALL CAVITIES AT EXTERIOR WALLS SURROUNDING TUBS AND SHOWERS.
26. BASEMENTS, HABITABLE ATTICS AND EVERY SLEEPING ROOM MUST HAVE AT LEAST ONE EMERGENCY ESCAPE OR RESCUE OPENING IN ACCORDANCE WITH THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODES. WHERE THE BASEMENT CONTAINS 1 OR MORE SLEEPING ROOMS, EMERGENCY ESCAPE OR RESCUE OPENINGS SHALL BE REQUIRED IN EACH SLEEPING ROOM. THE EMERGENCY ESCAPE OR RESCUE OPENING SHALL HAVE A CLEAR 5.7 SQUARE FEET OF OPEN AREA WITH A SILL HEIGHT OF NO MORE THAN 44" ABOVE THE FLOOR OR 5.0 SQUARE FEET OF OPEN AREA FOR GRADE-LEVEL WINDOWS. THE CLEAR OPENING SHALL A MINIMUM OF 24" OF OPENING HEIGHT AND 20" OPENING WIDTH. EMERGENCY ESCAPE AND RESCUE OPENINGS WITH A FINISHED SILL HEIGHT BELOW THE ADJACENT GROUND LEVEL ELEVATION SHALL BE PROVIDED WITH A WINDOW WELL AND LADDER IN ACCORDANCE WITH THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODE. WINDOW MANUFACTURER TO VERIFY.
- PROVIDE NECESSARY SHEATHING, SHORING, BRACING, AND ALL TEMPORARY SUPPORTS AS REQUIRED DURING EXCAVATIONS TO PROPERLY SUPPORT SIDES OF EXCAVATIONS. PER MIOSHA.
- PROTECT ALL EXISTING WORK AND WORK IN PROGRESS.
- COMPLY FULLY WITH REQUIREMENTS OF MIOSHA AND OTHER REGULATORY AGENCIES FOR ALL SAFETY PROVISIONS.
- THE ROUGH CARPENTRY CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS PRIOR TO THE START OF FABRICATION.
- CONTRACTOR SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.
- ROOF TRUSS MANUFACTURER TO SUPPLY THE ARCHITECT WITH TRUSS SHOP DRAWINGS PRIOR TO FABRICATION.
- ALL STRUCTURAL STEEL SHAPES, PLATES, BARS, ETC. ARE TO BE ASTM A-36 (UNLESS NOTED OTHERWISE) DESIGNED AND SHAPED AND SIZES SHALL MATCH IN ALL DIMENSIONS. EVERY SLEEPING RM. SHALL BE PROVIDED WITH AN OPERABLE EGRESS WINDOW. THE SILL HEIGHT SHALL NOT BE MORE THAN 44" ABOVE THE FLOOR. THE WINDOW, WHEN OPEN, SHALL HAVE A NET CLEAR OPENING AREA OF 5.7 SQ. FT. THE MINIMUM NET CLEAR OPENING WIDTH SHALL BE AT LEAST 20" AND MINIMUM NET CLEAR OPENING HEIGHT OF AT LEAST 24" PER THE 2015 MICHIGAN RESIDENTIAL BUILDING CODE, SECTION R308.
- ALL MASONRY VENEER WALLS TO BE PROVIDED WITH WALL TIES AND WEEP HOLES PER CURRENT CODE. AS OUTLINED IN THE 2015 MICHIGAN RESIDENTIAL BUILDING CODE SECTION R703.
- ALL STAIRWAYS, STAIRWAY GUARDS, HANDRAILS, BALUSTERS, HEADROOM DIMENSIONS, RISERS AND TREADS SHALL COMPLY WITH ALL CODE REQUIREMENTS. AS OUTLINED IN THE 2015 MICHIGAN RESIDENTIAL BUILDING CODE, SECTIONS R011 & R012.
- PROPERLY VENTILATE ROOF SO THERE IS A CROSS-VENTILATION WITH ROOF VENTS AND SOFFIT VENTS PER SECTION R803 OF THE 2015 MICHIGAN RESIDENTIAL BUILDING CODE. PROVIDE AN UNDERLAYMENT OF 15# FELT UNDER ASPHALT SHINGLES AND A LAYER OF GRACE ICE AND WATER SHIELD FROM EAVE TO MIN. 24" PAST EXTERIOR WALL LINE OF BUILDING. SEE WALL SECTION FOR ICE SHIELD DETAIL.
- THE CONTRACTOR SHALL PROVIDE WRITTEN CHANGE ORDERS DOCUMENTING ADDITIONAL WORK OR DELETION OF WORK, PRIOR TO THE CHANGE EFFORT ON THE JOB.
- PROPERLY VENTILATE CRAWL SPACES PER STATE MECHANICAL CODE.
- BATH FANS TO BE VENTED TO EXTERIOR
- PROVIDE ELECTRICALLY POWERED SMOKE DETECTORS ON EACH LEVEL. IN EACH BEDROOM, AND BEDROOM HALLWAYS. UNITS ARE TO BE WIRED SO IF ONE SOUNDS, THEY ALL SOUND. ALL SHALL HAVE BATTERY BACK UP PER 2015 MICHIGAN RESIDENTIAL BUILDING CODE SECTION R514.
- FIRESTOP ALL DROPS & CHASES, ELECTRICAL, PLUMBING & HEATING. APPROVED PRESTOP MATERIAL REQUIRED FOR ALL DROPS & FLOOR OR CEILING PENETRATIONS AS OUTLINED IN 2015 MICHIGAN RESIDENTIAL BUILDING CODE.
- TRUSS MANUFACTURER TO MAXIMIZE OPEN AREA IN ALL ATTIC TRUSSES.
- ALL POINT LOADS FROM ROOF GIRDERS, JACK STUDS, OR BEAM SUPPORTS, WHETHER WOOD OR STEEL, CANNOT BEAR ONTO SHEATHING ALONE. PROVIDE BLOCKING EQUAL TO OR GREATER THAN THE POINT LOAD TO SUPPORT ABOVE. POINT LOAD SUPPORTS MUST BE CARRIED THROUGH ALL CONSTRUCTION TO THE FOUNDATION.
- ROOF TRUSS FRAMING INDICATED ON DRAWINGS IS OUR ASSUMED LAYOUT. TRUSS MANUFACTURER SHALL REVIEW THE DRAWINGS AND INDICATE TO ARCHITECT, PRIOR TO FABRICATION, ANY CHANGE IN BEARING CONDITIONS THAT WOULD REQUIRE RE-FRAMING OF OUR STRUCTURE TO ACCOMMODATE TRUSSES.
- LOCATION OF GROUND TRUSSES TO BE VERIFIED W/ FINAL TRUSS MANUFACTURER LAYOUT. ANY VARIATIONS OVER HEADERS FROM WHAT IS INDICATED TO BE VERIFIED WITH ARCHITECT.
- PLUMBING AND HVAC VENTS SHALL BE GROUPED IN ATTIC TO LIMIT THE NUMBER OF ROOF PENETRATIONS. ALL ROOF PENETRATIONS SHALL OCCUR TO THE REAR OF THE HOUSE AND BE PAINTED TO MATCH THE ROOF COLOR.

FOUNDATION:

- NO. 15 ASPHALT FELT, FREE FROM HOLES AND BREAKS. COMPLYING WITH ASTM D 226 FOR TYPE 1 FELT OR OTHER APPROVED WATER-RESISTIVE BARRIER SHALL BE APPLIED OVER STUDS OR SHEATHING OF ALL EXTERIOR WALLS. SUCH FELT OR MATERIAL SHALL BE APPLIED HORIZONTALLY, WITH THE UPPER LAYER LAPPED OVER THE LOWER LAYER NOT LESS THAN 2 INCHES WHERE JOINTS OCCUR. FELT SHALL BE LAPPED NOT LESS THAN 4 INCHES. THE FELT OR OTHER APPROVED MATERIAL SHALL BE CONTINUOUS TO THE TOP OF THE WALLS AND TERMINATED AT PENETRATIONS AND BUILDING APPENDAGES IN A MANNER TO MEET THE REQUIREMENTS OF THE EXTERIOR WALL ENVELOPE AS DESCRIBED IN SECTION R703.1 & TABLE # R703.4 OF THE 2009 MICHIGAN RESIDENTIAL CODE.
- SURFACE DRAINAGE SHALL BE DIVERTED TO A STORM SEWER CONVEYANCE OR OTHER APPROVED POINT OF COLLECTION AS TO NOT CREATE A HAZARD. LOTS SHALL BE GRADED TO DRAIN SURFACE WATER AWAY FROM FOUNDATION WALLS. THE GRADE SHALL FALL A MINIMUM OF 4 INCHES WITHIN THE FIRST 10 FEET.
- IN AREAS LIKELY TO HAVE EXPANSIVE, COMPRESSIBLE, SHIFTING OR OTHER UNKNOWN SOIL CHARACTERISTICS, THE BUILDING OFFICIAL SHALL DETERMINE WHETHER TO REQUIRE A SOIL TEST TO DETERMINE THE SOIL'S CHARACTERISTICS AT A PARTICULAR LOCATION. THIS TEST SHALL BE MADE BY AN APPROVED AGENCY USING AN APPROVED METHOD.
- ALL FOOTING EXCAVATIONS SHALL BE NEAT, STRAIGHT, AND LEVEL IN THE PROPER ELEVATIONS TO RECEIVE THE CONCRETE. EXCESSIVE VARIATIONS IN THE DIMENSIONS OF FOOTINGS OR SLABS WILL NOT BE PERMITTED. REINFORCING STEEL AND MESH SHALL BE ACCURATELY PLACED AND SUPPORTED TO MAINTAIN THEIR POSITION DURING CONCRETE POURING. EDGE FORMS SHALL BE USED FOR CONCRETE THAT WILL BE EXPOSED.
- FOUNDATION CONSTRUCTION SHALL BE CAPABLE OF ACCOMMODATING ALL LOADS ACCORDING TO SECTION R301 AND OF TRANSMITTING THE RESULTING LOADS TO THE SUPPORTING SOIL. FILL SOILS THAT SUPPORT FOOTINGS AND FOUNDATIONS SHALL BE DESIGNED, INSTALLED AND TESTED IN ACCORDANCE WITH ACCEPTED ENGINEERING PRACTICE. GRAVEL FILL USED AS FOOTINGS FOR WOOD AND PRECAST CONCRETE FOUNDATIONS SHALL COMPLY WITH SECTION R403.
- PROVIDE VERTICAL REINFORCEMENT IN POURED CONCRETE WALLS AS REQUIRED PER THE 2015 MICHIGAN RESIDENTIAL CODE. THIS TABLE ESTABLISHES REINFORCEMENT REQUIREMENTS AS DETERMINED BY MAXIMUM WALL HEIGHT/ MAXIMUM UNBALANCED BACKSILL HEIGHT, ALONG WITH CONCRETE WALL THICKNESS & DETERMINATION OF SOIL CLASSIFICATION & DESIGN LATERAL SOIL PROPERTIES.
- ALL SLAB PENETRATIONS ARE TO BE THE RESPONSIBILITY OF THE CONTRACTOR. PENETRATIONS INTERFERING WITH REINFORCING SHALL BE APPROVED BY THE ENGINEER OR RECORD PRIOR TO THE PLACEMENT OF CONCRETE.
- ALL MASONRY CHIMNEY FOOTINGS SHALL HAVE A MINIMUM OF 12 INCH PROJECTION LARGER THAN FOOTPRINT BY 18 INCHES THICK.
- CONCRETE AND MASONRY FOUNDATION WALLS THAT RETAIN EARTH AND ENCLOSE INTERIOR SPACES AND FLOORS BELOW GRADE SHALL BE DAMPROOFED FROM THE TOP OF THE FOOTING TO THE FINISHED GRADE PER SEC. R405 2015 MICHIGAN RESIDENTIAL CODE.
- ALL POURED CONC. WALLS TO BE BACKFILLED WITH SUITABLE TYPE BACKFILL MATERIAL THAT IS NOT WET CLAY OR IN FROZEN CHUNKS AND BE WELL BRACED UNTIL CONC. IS THOROUGHLY CURED AND ADDITIONAL WEIGHT OF THE BUILDING IS IN PLACE. BACKFILLING SHALL COMPLY WITH THE 2015 MICHIGAN RESIDENTIAL CODE
- WHERE DISCREPANCIES BETWEEN SOILS REPORT AND STRUCTURAL DRAWINGS OCCUR, CONTACT THE STRUCTURAL ENGINEER.
- FINISH GRADE SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM STRUCTURE.
- SURFACE WATER TO DRAIN AWAY FROM STRUCTURE. THE GRADE SHALL FALL A MINIMUM OF 6" WITHIN THE FIRST 10 FEET (2% FOR IMPERVIOUS SURFACES) IN ACCORDANCE WITH THE CURRENTLY ADOPTED EDITION OF THE IRC OR APPLICABLE LOCAL CODES.
- GARAGE SLAB SHALL SLOPE A MIN. OF 2" AWAY FROM STRUCTURE.
- CONCRETE STOOPS AND PORCH/PATIO SLABS SHALL SLOPE A MIN. OF 1/4" PER FOOT AWAY FROM STRUCTURE.
- POURED WALL CONTRACTOR TO PROVIDE FOR A 20'-0" LONG (1/2" DIA. - #4 REBAR) ROD INTO FOOTING AND UP THROUGH POURED WALL NEAR ELECTRICAL SERVICE LOCATION FOR GROUNDINGS OF ELECTRICAL SERVICE. ROD SHALL LEAVE WALL ON EXTERIOR NEAR TOP OF WALL APPROX. 18" BELOW PROPOSED GRADE. LEAVE APPROX. 24" EXPOSED OUTSIDE OF CONC. WALL. FINAL LOCATION TO BE DETERMINED BY BUILDER IN FIELD.
- ALL FILL SHALL BE CLEAN COARSE SAND COMPACTED TO 95% BY HEAVY VIBRATORY ROLLER IN MAXIMUM LIFTS OF 8". CONFORM TO ASTM D 1557.
- GRADING, SOIL PREPARATION AND FOUNDATION CONSTRUCTION SHALL COMPLY WITH THE REQUIREMENTS OF THE 2015 MIOC.
- PROVIDE MIN. 6 MIL. APPROVED VAPOR BARRIER, ALL JOINTS TO BE LAPPED MIN. 12" AND SEALED.
- BASEMENT WALLS ARE DESIGNED TO SPAN VERTICALLY FROM THE BASEMENT SLAB TO THE FLOOR DECK. THEREFORE, THE BASEMENT WALLS SHALL NOT BE BACKFILLED UNTIL THE BASEMENT SLAB AND FIRST FLOOR DECK ARE COMPLETED.
- NO MODIFICATIONS TO THE FOUNDATION WALL DESIGN [SUCH AS ADDING A BLOCK SHALL BE ALLOWED WITHOUT PRIOR CONSENT FROM THE DESIGNER.

CONCRETE:

- CONCRETE SHALL BE 2000 PSI IN 28 DAYS UNLESS NOTED OTHERWISE. NO CONCRETE SHALL BE POURED IN TEMPERATURES BELOW 40 DEGREES FAHRENHEIT (UNLESS HEAT IS TO BE PROVIDED DURING THE CURING) FOR TWO DAYS. EXTEND ALL FOOTINGS TO MINIMUM FROST DEPTH PER THE 2015 MICHIGAN RESIDENTIAL CODE AND/OR ANY LOCAL CODE ENFORCEMENT.
- ADD CONCRETE REINFORCEMENT SUPPORT PER R506.2.4 OF THE 2015 MICHIGAN RESIDENTIAL CODE FOR ALL SLABS ON GROUND, TO ENSURE THAT REINFORCEMENT SHALL BE SUPPORTED TO REMAIN IN PLACE FROM THE CENTER TO SUPPORT ONE THIRD OF THE SLAB FOR THE DURATION OF THE CONCRETE PLACEMENT.
- ALL REBAR SPICES SHALL BE A MINIMUM OF 2'-0" UNLESS NOTED OTHERWISE.
- REINFORCING STEEL BARS SHALL BE DEFORMED IN ACCORDANCE WITH ASTM A305 AND/OR A408 AND FORMED OF ASTM A615-75 GRADE 60 STEEL, WELDED WIRE FABRIC REINFORCING TO BE ASTM A 685 STEEL WIRE. ACCESSORIES SHALL CONFORM TO THE CRS' MANUAL OF STANDARD PRACTICE". THE FOLLOWING MINIMUM CONCRETE COVER SHALL BE PROVIDED OVER REINFORCING BARS:
  - EXPOSED TO EARTH
  - EXPOSED TO WEATHER
  - SLABS NOT EXPOSED TO WEATHER
  - BEAMS AND COLUMNS
- ALL REINFORCING BARS, ANCHOR BOLTS, MUDDILL ANCHORS AND OTHER CONCRETE INSERTS SHALL BE WELL SECURED IN POSITION PRIOR TO PLACING CONCRETE.
- PROVIDE SLEEVES FOR PLUMBING AND ELECTRICAL OPENINGS IN CONCRETE BEFORE PLACING. DO NOT CUT ANY REINFORCING WHICH MAY CONFLICT.
- CONCRETE PLACEMENT SHALL BE PER RECOMMENDATIONS IN ACI 414, ACI 301, AND 318. FOR CONTROL JOINTS IN SLABS, SPACE SAW CUTS AT MAXIMUM 12 FEET ON CENTER FOR 4" SLAB DEPTH UNLESS OTHERWISE NOTED ON THE DRAWINGS. SAW CUTS SHALL NOT BE PLACED PARALLEL UNDER BEARING WALLS.

STRUCTURAL STEEL:

- ALL STRUCTURAL STEEL SHAPES, PLATES, BARS, ETC. ARE TO BE ASTM A-36 (UNLESS NOTED OTHERWISE) DESIGNED AND CONSTRUCTED PER THE LATEST EDITION OF THE AISC "MANUAL OF STEEL CONSTRUCTION". ALL WIDE FLANGE AND CHANNELS SHALL CONFORM TO ASTM A992 F11-30 KS1, F11-45 KS1.
- ALL STEEL PIPE COLUMNS SHALL BE ASTM A501, F11-36 KS1. ALL STRUCTURAL TUBING SHALL BE ASTM A500, GRADE B, F11-45 KS1.
- ALL WELDED CONNECTIONS SHALL CONFORM WITH THE LATEST AWS D1.1 "STRUCTURAL WELDING CODE", AND SHALL UTILIZE E70XX ELECTRODES UNLESS NOTED OTHERWISE. WELDING SHALL BE DONE BY CERTIFIED WELDERS.
- ALL BOLTED CONNECTIONS SHALL UTILIZE ASTM A-325 BOLTS TIGHTENED TO A "SNUG TIGHT" CONDITION (UNLESS NOTED OTHERWISE).
- THE STEEL DIRECTOR IS SOLELY RESPONSIBLE FOR THE DESIGN AND INSTALLATION OF ALL TEMPORARY GUYS, BRACES, FALSEWORK, CRIBBING AND OTHER ELEMENTS REQUIRED FOR THE SAFE AND PROPER INSTALLATION OF ALL BUILDING ELEMENTS UNTIL THE STRUCTURE IS PERMANENTLY BRACED. THE FABRICATOR AND DIRECTOR SHALL PERFORM ALL WORK IN ACCORDANCE WITH OSHA REQUIREMENTS.
- EXPLODED STRUCTURAL STEEL SHALL BE COATED WITH RUST PREVENTIVE FINISH. THE MINIMUM PLATE THICKNESS SHALL BE 3/8". MINIMUM BOLT DIAMETER SHALL BE 3/4". MINIMUM WELD SHALL BE 1/4".

FRAMING:

- NO. 15 ASPHALT FELT, FREE FROM HOLES AND BREAKS. COMPLYING WITH ASTM D 226 FOR TYPE 1 FELT OR OTHER APPROVED WATER-RESISTIVE BARRIER SHALL BE APPLIED OVER STUDS OR SHEATHING OF ALL EXTERIOR WALLS. SUCH FELT OR MATERIAL SHALL BE APPLIED HORIZONTALLY, WITH THE UPPER LAYER LAPPED OVER THE LOWER LAYER NOT LESS THAN 2 INCHES WHERE JOINTS OCCUR. FELT SHALL BE LAPPED NOT LESS THAN 4 INCHES. THE FELT OR OTHER APPROVED MATERIAL SHALL BE CONTINUOUS TO THE TOP OF THE WALLS AND TERMINATED AT PENETRATIONS AND BUILDING APPENDAGES IN A MANNER TO MEET THE REQUIREMENTS OF THE EXTERIOR WALL ENVELOPE AS DESCRIBED IN SECTION R703.1 & TABLE # R703.4 OF THE 2009 MICHIGAN RESIDENTIAL CODE.
- ALL WOOD JOISTS AND OPEN WEB JOISTS MUST BE BRACED IN ACCORDANCE WITH MANUFACTURERS DIRECTIONS PER DETAILS SHOWN ON PLANS. LOAD BEARING PARTITIONS, JACKS, BEAMS AND COLUMNS SUPPORTS MUST BE SOLID BLOCKED THROUGH FLOOR TO A BEAM OR FOUNDATION BELOW. JOISTS, TRUSSES, PLYWOOD AND T&G O.S.B. CANNOT CARRY CONCENTRATED POINT LOADS. ALL POINT LOADS MUST BE CARRIED TO FOUNDATION WITH BLOCKING AND/OR BEAMS. NOTE: ALL BEAMS AND DOUBLE JOISTS, ETC. HAVE BEEN SHOWN FOR A LOAD BEARING PURPOSE. PLACEMENT OF THE LOAD CARRYING MEMBERS SHOWN IN THE PLANS IN LOCATIONS OTHER THAN UNDER THE STRUCTURAL ELEMENT THEY ARE INTENDED TO CARRY IS THE RESPONSIBILITY OF THE CONTRACTOR. EXACT BEAM LOCATIONS ARE NOT TO BE SCALED FROM THE FRAMING PLANS.
- WOOD STUD WALL CONSTRUCTION REQUIREMENTS BASED EXPOSURE TO WIND SPEEDS OF 100 MPH OR LESS  
EXTERIOR WALL CONSTRUCTION (W/ 1/2" EXTERIOR SHEATHING):

WALLS SUPPORTING A ROOF ONLY:	
HEIGHT IN FEET	MINIMUM FRAME REQUIREMENT
12 FEET OR LESS	2 X 4 @ MAX. 16" O.C.
OVER 12 FEET	2 X 6 @ MAX. 16" O.C.

WALLS SUPPORTING ONE FLOOR AND A ROOF:	
HEIGHT IN FEET	MINIMUM FRAME REQUIREMENT
10 FEET OR LESS	2 X 4 @ MAX. 16" O.C. OR 2 X 4 @ 8" 12" O.C.
OVER 10 FEET	2 X 6 @ MAX. 16" O.C.

WALLS SUPPORTING TWO FLOORS AND A ROOF:	
HEIGHT IN FEET	MINIMUM FRAME REQUIREMENT
WALLS UP TO 14 FEET	2 X 6 @ MAX. 16" O.C.

NOTE:  
SEE SPECIAL DESIGN OR ENGINEER FOR WALL CONSTRUCTION TALLER THAN 20 FEET. WHEN OPENINGS IN WALLS EXCEED 6 FEET IN WIDTH OR IF THE WALL CANNOT BE CONSTRUCTED USING ANY OF THE METHODS.

- SEE TABLE R602.3(1) OF THE CODE FOR A FASTENER SCHEDULE FOR STRUCTURAL MEMBERS.
- WOOD BEAMS SHALL BE SUPPORTED BY METAL HANGERS OF ADEQUATE CAPACITY WHERE FRAMING INTO BEAMS OR LEDGERS. THE ALLOWABLE LOAD CAPACITY OF THE HANGER SHALL BE EQUAL TO OR GREATER THAN THE LOAD SPECIFIED ON THE PLAN. WHERE NO LOAD IS SPECIFIED THE "LIGHTEST" AVAILABLE HANGER FOR THE APPLICATION IS ACCEPTABLE.
- ALL STRUCTURAL FRAMING LUMBER EXPOSED DIRECTLY TO THE WEATHER OR BRACED DIRECTLY ON EXTERIOR MASONRY PIERS OR CONCRETE SHALL BE TREATED. ALL WOOD IN CONTACT WITH THE GROUND IS TO BE GROUND CONTACT APPROVED. ALL WOOD EXPOSED DIRECTLY TO THE WEATHER SHALL BE PROTECTED TO PREVENT THE OCCURRENCE OF ROT.
- PROVIDE WIND BRACING IN CONFORMANCE WITH 2015 MICHIGAN RESIDENTIAL CODE.
- CONCRETE STOOPS AND PORCH/PATIO SLABS SHALL SLOPE A MIN. OF 1/4" PER FOOT AWAY FROM STRUCTURE.
- POURED WALL CONTRACTOR TO PROVIDE FOR A 20'-0" LONG (1/2" DIA. - #4 REBAR) ROD INTO FOOTING AND UP THROUGH POURED WALL NEAR ELECTRICAL SERVICE LOCATION FOR GROUNDINGS OF ELECTRICAL SERVICE. ROD SHALL LEAVE WALL ON EXTERIOR NEAR TOP OF WALL APPROX. 18" BELOW PROPOSED GRADE. LEAVE APPROX. 24" EXPOSED OUTSIDE OF CONC. WALL. FINAL LOCATION TO BE DETERMINED BY BUILDER IN FIELD.
- ALL FILL SHALL BE CLEAN COARSE SAND COMPACTED TO 95% BY HEAVY VIBRATORY ROLLER IN MAXIMUM LIFTS OF 8". CONFORM TO ASTM D 1557.
- GRADING, SOIL PREPARATION AND FOUNDATION CONSTRUCTION SHALL COMPLY WITH THE REQUIREMENTS OF THE 2015 MIOC.
- PROVIDE MIN. 6 MIL. APPROVED VAPOR BARRIER, ALL JOINTS TO BE LAPPED MIN. 12" AND SEALED.
- BASEMENT WALLS ARE DESIGNED TO SPAN VERTICALLY FROM THE BASEMENT SLAB TO THE FLOOR DECK. THEREFORE, THE BASEMENT WALLS SHALL NOT BE BACKFILLED UNTIL THE BASEMENT SLAB AND FIRST FLOOR DECK ARE COMPLETED.
- NO MODIFICATIONS TO THE FOUNDATION WALL DESIGN [SUCH AS ADDING A BLOCK SHALL BE ALLOWED WITHOUT PRIOR CONSENT FROM THE DESIGNER.

ROOF CONSTRUCTION:

- WOOD TRUSSES
- DESIGN - WOOD TRUSSES SHALL BE DESIGNED IN ACCORDANCE WITH APPROVED ENGINEERING PRACTICE. THE DESIGN AND MANUFACTURE OF METAL PLATE CONNECTED WOOD TRUSSES SHALL COMPLY WITH ANSI/TPI 1. THE TRUSS DESIGN DRAWINGS SHALL BE PREPARED BY A REGISTERED PROFESSIONAL WHERE REQUIRED BY THE STATUTES OF THE JURISDICTION IN WHICH THE PROJECT IS TO BE CONSTRUCTED IN ACCORDANCE WITH SECTION R106.1.
- BRACING - TRUSSES SHALL BE BRACED TO PREVENT ROTATION AND PROVIDE LATERAL STABILITY IN ACCORDANCE WITH THE REQUIREMENTS SPECIFIED IN THE CONSTRUCTION DOCUMENTS FOR THE BUILDING AND ON THE INDIVIDUAL TRUSS DESIGN DRAWINGS. IN THE ABSENCE OF SPECIFIED BRACING REQUIREMENTS, TRUSSES SHALL BE BRACED IN ACCORDANCE WITH THE BUILDING COMPONENT SAFETY INFORMATION (BCSI 1-03) GUIDE TO GOOD PRACTICE FOR HANDLING, INSTALLING & BRACING OF METAL PLATE CONNECTED TO WOOD TRUSSES.
- ROOF TRUSS FRAMING INDICATED ON DRAWINGS IS OUR ASSUMED LAYOUT. TRUSS MANUFACTURER SHALL REVIEW THE DRAWINGS AND INDICATE TO ARCHITECT, PRIOR TO FABRICATION, ANY CHANGE IN BEARING CONDITIONS THAT WOULD REQUIRE RE-FRAMING OF OUR STRUCTURE TO ACCOMMODATE TRUSSES.
- ALL STEEL PIPE COLUMNS SHALL BE ASTM A501, F11-36 KS1. ALL STRUCTURAL TUBING SHALL BE ASTM A500, GRADE B, F11-45 KS1.
- ALL WELDED CONNECTIONS SHALL CONFORM WITH THE LATEST AWS D1.1 "STRUCTURAL WELDING CODE", AND SHALL UTILIZE E70XX ELECTRODES UNLESS NOTED OTHERWISE. WELDING SHALL BE DONE BY CERTIFIED WELDERS.
- ALL BOLTED CONNECTIONS SHALL UTILIZE ASTM A-325 BOLTS TIGHTENED TO A "SNUG TIGHT" CONDITION (UNLESS NOTED OTHERWISE).
- THE STEEL DIRECTOR IS SOLELY RESPONSIBLE FOR THE DESIGN AND INSTALLATION OF ALL TEMPORARY GUYS, BRACES, FALSEWORK, CRIBBING AND OTHER ELEMENTS REQUIRED FOR THE SAFE AND PROPER INSTALLATION OF ALL BUILDING ELEMENTS UNTIL THE STRUCTURE IS PERMANENTLY BRACED. THE FABRICATOR AND DIRECTOR SHALL PERFORM ALL WORK IN ACCORDANCE WITH OSHA REQUIREMENTS.
- EXPLODED STRUCTURAL STEEL SHALL BE COATED WITH RUST PREVENTIVE FINISH. THE MINIMUM PLATE THICKNESS SHALL BE 3/8". MINIMUM BOLT DIAMETER SHALL BE 3/4". MINIMUM WELD SHALL BE 1/4".

ELEVATION NOTES:

- PLUMBING AND HVAC VENTS SHALL BE GROUPED IN ATTIC TO LIMIT THE NUMBER OF ROOF PENETRATIONS. ALL ROOF PENETRATIONS SHALL OCCUR TO THE REAR OF THE HOUSE AND BE PAINTED TO MATCH THE ROOF COLOR.
- GUTTERS AND DOWNSPOUTS ARE NOT SHOWN FOR CLARITY. DOWNSPOUTS SHALL BE LOCATED TO ALLOW DRAINAGE TO FLOW AWAY FROM HOUSE, ADJACENT STRUCTURES AND COMMON PROPERTY LINES. LOCATE DOWNSPOUTS IN NON-VISUALLY OFFENSIVE LOCATIONS. DO NOT LOCATE DOWNSPOUTS ON FRONT FACADE OF HOUSE OR ALONG FRONT FACING PORCH COLUMNS.
- BUILDER TO CONFIRM AND COORDINATE ALL WINDOW VENTING
- WINDOW SILLS (R612.2) - WHERE THE OPENING OF AN OPERABLE WINDOW IS LOCATED MORE THAN 72 INCHES ABOVE FINISHED GRADE, THE LOWEST PART OF THE CLEAR OPENING OF THE WINDOW SHALL BE A MINIMUM OF 24 INCHES ABOVE THE FINISHED FLOOR OF THE ROOM IN WHICH THE WINDOW IS LOCATED. GLAZING BETWEEN THE FLOOR AND 24 INCHES SHALL BE FIXED OR HAVE OPENINGS THROUGH WHICH A 4-INCH DIA. SPHERE CANNOT PASS. PER SECTION R612.2 OF THE 2015 MICHIGAN RESIDENTIAL CODE. WINDOW MANUFACTURER TO VERIFY.

FLASHING:

- FLASHING (R703.8)  
APPROVED CORROSION-RESISTIVE FLASHING SHALL BE APPLIED SHINGLE-FASHION IN SUCH A MANNER TO PREVENT ENTRY OF WATER INTO THE WALL CAVITY OR PENETRATION OF WATER TO THE BUILDING STRUCTURAL FRAMING COMPONENTS. THE FLASHING SHALL EXTEND TO THE SURFACE OF THE EXTERIOR WALL FINISH. APPROVED CORROSION-RESISTANT FLASHINGS SHALL BE INSTALLED AT ALL OF THE FOLLOWING LOCATIONS.
- EXTERIOR WINDOW AND DOOR OPENINGS. FLASHING AT EXTERIOR WINDOW AND DOOR OPENINGS SHALL EXTEND TO THE SURFACE OF THE EXTERIOR WALL FINISH OR TO THE WATER-RESISTIVE BARRIER FOR SUBSEQUENT DRAINAGE.
  - AT THE INTERSECTION OF CHIMNEYS OR OTHER MASONRY CONSTRUCTION WITH FRAME OR STUCCO WALLS, WITH PROJECTING LIPS ON BOTH SIDES UNDER STUCCO COPINGS.
  - UNDER AND AT THE ENDS OF MASONRY, WOOD OR METAL COPINGS AND SILLS.
  - CONTINUOUSLY ABOVE ALL PROJECTING WOOD TRIM.
  - WHERE EXTERIOR PORCHES, DECKS OR STAIRS ATTACH TO A WALL OR FLOOR ASSEMBLY OF WOOD-FRAME CONSTRUCTION.
  - AT WALL AND ROOF INTERSECTIONS
  - AT BUILT-IN GUTTERS.

MASONRY:

- EXECUTION: MASONRY UNITS SHALL BE LAID IN A RUNNING BOND PATTERN UNLESS NOTED OTHERWISE. THE WALLS SHALL BE CARRIED UP LEVEL AND PLUMB WITHIN THE TOLERANCES SPECIFIED IN ACI 400.1-88, SECTION 2.3.3.2. IF NONSTANDARD DIMENSIONS ARE ENCOUNTERED, BLOCK SHALL BE CUT WITH A MASONRY SAW TO FIT, NOT BY STRETCHING OR SHRINKING JOINTS. UNFINISHED WORK SHALL BE STEPPED BACK FOR JOINING WITH NEW WORK. TOOTHING WILL NOT BE PERMITTED EXCEPT WHERE SPECIFICALLY APPROVED. DAMAGE UNITS ARE TO BE CUT OUT AND NEW UNITS SET IN PLACE.
- THE FILLED CELLS AND BOND BEAM BLOCKS OF REINFORCED MASONRY WALLS ARE TO BE FILLED WITH ASTM C476-91 GROUT OF PEA GRAVEL MIX FOR MASONRY WITH MINIMUM COMPRESSIVE STRESS OF 3000 PSI.
- UNITS (R703.2.3) MASONRY VENEER SHALL NOT SUPPORT ANY VERTICAL LOAD OTHER THAN THE DEAD LOAD OF THE VENEER ABOVE. VENEER ABOVE OPENINGS SHALL BE SUPPORTED ON UNITS OF NON-COMBUSTIBLE MATERIALS AND THE ALLOWABLE SPAN SHALL NOT EXCEED THE VALUES SET FORTH IN THE TABLE (R703.7.3.1). THE UNITS SHALL HAVE A LENGTH OF BEARING OF NOT LESS THAN 4 INCHES.
- MORTAR: ASTM C270-95 TYPE S PREPACKAGED MORTAR MIX WHICH SHALL NOT CONTAIN ANY NON-CEMENTITIOUS FILLERS COMBINED WITH MORE THAN THREE PARTS SAND PER ONE PART MIX.
- MASONRY VENEER SUPPORT:
  - WHERE MASONRY VENEER IS SUPPORTED BY A STEEL ANGLE, A MINIMUM 6" X 4" X 5/16" STEEL ANGLE SHALL BE PLACED WITH THE LONG LEG VERTICAL. THE ANGLE SHALL BE ANCHORED TO DOUBLE 2 X 4 STUD CONSTRUCTION AT MAXIMUM 16" ON CENTER WITH (2) 7/16" X 4" LAG SCREWS. A MINIMUM OF 2/3 OF THE O.A. THICKNESS OF THE MASONRY VENEER MUST BEAR ONTO THE STEEL ANGLE. THE HEIGHT OF THE MASONRY VENEER ABOVE THE STEEL ANGLE SHALL NOT EXCEED 12'-8". FLASHING AND WEEP HOLES SHALL BE LOCATED IN THE MASONRY VENEER IN ACCORDANCE WITH FIGURE R703.7.2.1 OF THE 2006 MICHIGAN RESIDENTIAL CODE. THE AIR SPACE BETWEEN MASONRY VENEER AND WOOD BACKING SHALL BE A MINIMUM OF 1 INCH BUT IS NOT TO EXCEED 4 1/2 INCHES. ROOF CONSTRUCTION WITH SLOPES FROM 7/12 TO 12/12 SHALL REQUIRE THE ADDITION OF MIN. 3 INCH X 3 INCH X 1/4" STEEL PLATE STOPS WELDED TO STEEL ANGLE AT MAXIMUM 24" O.C. OR PER BUILDING OFFICIALS APPROVAL.
  - WHERE MASONRY VENEER IS SUPPORTED BY ROOF CONSTRUCTION, A STEEL ANGLE IS PLACED DIRECTLY ON TOP OF ROOF CONSTRUCTION AND NOT ATTACHED TO ADJUTING VERTICAL WALL CONSTRUCTION. THE SUPPORTING CONSTRUCTION FOR THE STEEL ANGLE SHALL CONSIST OF A MINIMUM OF (3) 2 X 4 WOOD MEMBERS. THE (3) WOOD MEMBERS SHALL BE ANCHORED TO ADJUTING VERTICAL WALL CONSTRUCTION WITH A MINIMUM OF 3 5/8" DIA. X 5" LAG SCREWS TO EVERY WOOD STUD SPACE AND EACH ADDITIONAL ROOF MEMBER SHALL BE ANCHORED BY (2) 10d NAILS AT EACH STUD SPACING. A MINIMUM OF 2/3 OF THE O.A. THICKNESS OF THE MASONRY VENEER MUST BEAR ONTO THE STEEL ANGLE. THE HEIGHT OF THE MASONRY ABOVE THE STEEL ANGLE SHALL NOT EXCEED 12'-8". FLASHING AND WEEP HOLES SHALL BE LOCATED IN THE MASONRY VENEER IN ACCORDANCE WITH FIGURE R703.7.2.2 OF THE 2006 MICHIGAN RESIDENTIAL CODE. THE AIR SPACE BETWEEN MASONRY VENEER AND WOOD BACKING SHALL BE A MINIMUM OF 1 INCH BUT IS NOT TO EXCEED 4 1/2 INCHES. ROOF CONSTRUCTION WITH SLOPES FROM 7/12 TO 12/12 SHALL REQUIRE THE ADDITION OF MIN. 3 INCH X 3 INCH X 1/4" STEEL PLATE STOPS WELDED TO STEEL ANGLE AT MAXIMUM 24" O.C. OR PER BUILDING OFFICIALS APPROVAL.
- A FLASHING INSPECTION IS REQUIRED PRIOR TO THE INSTALLATION OF A FULL WALL OF BRICK, AND SHALL COMPLY WITH THE 2015 MICHIGAN RESIDENTIAL CODE.
- ALL MASONRY VENEER WALLS TO BE PROVIDED WITH WALL TIES & WEEP HOLES PER CURRENT CODES INCLUDING COMPLIANCE WITH THE 2015 MICHIGAN RESIDENTIAL CODE WHEN INSTALLING STONE AND MASONRY VENEERS.

GLAZING:

- SAFETY GLAZING TO BE REQUIRED AT THE FOLLOWING LOCATIONS PER THE 2015 MICHIGAN RESIDENTIAL CODE.
  - FIXED OR OPERABLE GLAZING ADJACENT TO A DOOR WHERE THE NEAREST VERTICAL EDGE IS WITHIN 24" OF THE DOOR AND WHERE BOTTOM EDGE IS LESS THAN 60" ABOVE THE WALKING SURFACE.
  - GLAZING FOR DOORS & ENCLOSURES FOR HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATHTUBS, & SHOWERS.
  - GLAZING AT ALL BALCONIES.
  - FIXED OR OPERABLE GLAZING WITH AN EXPOSED AREA OF AN INDIVIDUAL PANE GREATER THAN 9 SQUARE FEET WITH THE BOTTOM EDGE LESS THAN 18" ABOVE THE FLOOR AND THE TOP EDGE GREATER THAN 36" ABOVE THE FLOOR AND A WALKING SURFACE WITHIN 36" OF THE GLAZING.
- MINIMUM EGRESS WINDOW REQUIREMENTS PER THE 2015 MICHIGAN RESIDENTIAL CODE:
  - MINIMUM NET OPENING OF 5.0 SQUARE FEET AT FIRST FLOOR BEDROOMS (6.7 SQUARE FEET AT SECOND FLOOR BEDROOMS).
  - MINIMUM NET OPENING HEIGHT OF 24" AND WIDTH OF 20"
  - SILL HEIGHT TO BE A MINIMUM OF 44" ABOVE FINISHED FLOOR
- EGRESS WINDOW REQUIREMENTS:
  - MIN. NET CLEAR OPENING OF 5.7 SQ. FT. (SECOND FLOOR BEDROOMS)
  - MIN. NET CLEAR OPENING OF 5.0 SQ. FT. (FIRST FLOOR BEDROOMS ONLY)
  - MIN. NET CLEAR OPENING HT. OF 24 INCHES
  - MIN. NET CLEAR OPENING WIDTH OF 20 INCHES
  - MAX. SILL HT. ABOVE FINISH FLOOR OF 44 INCHES

Architect & Planners

JDi

JDi-Architecture.com  
Macomb Twp, MI  
586.604.9343

builder:  
Babi Construction

project:  
2648 Dorchester  
Birmingham, Michigan

sheet description:  
General Notes & Details

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project number

drawn JDI

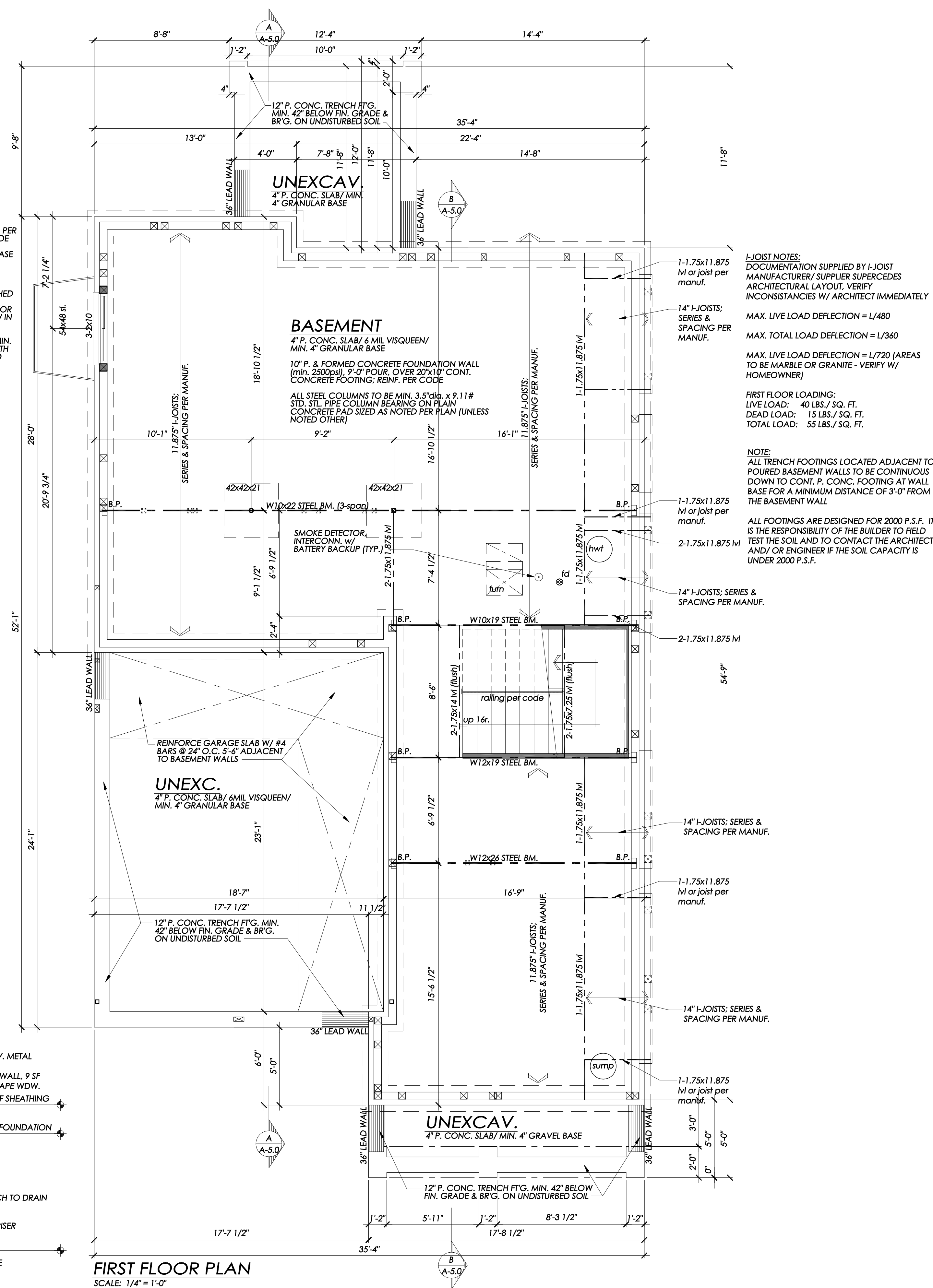
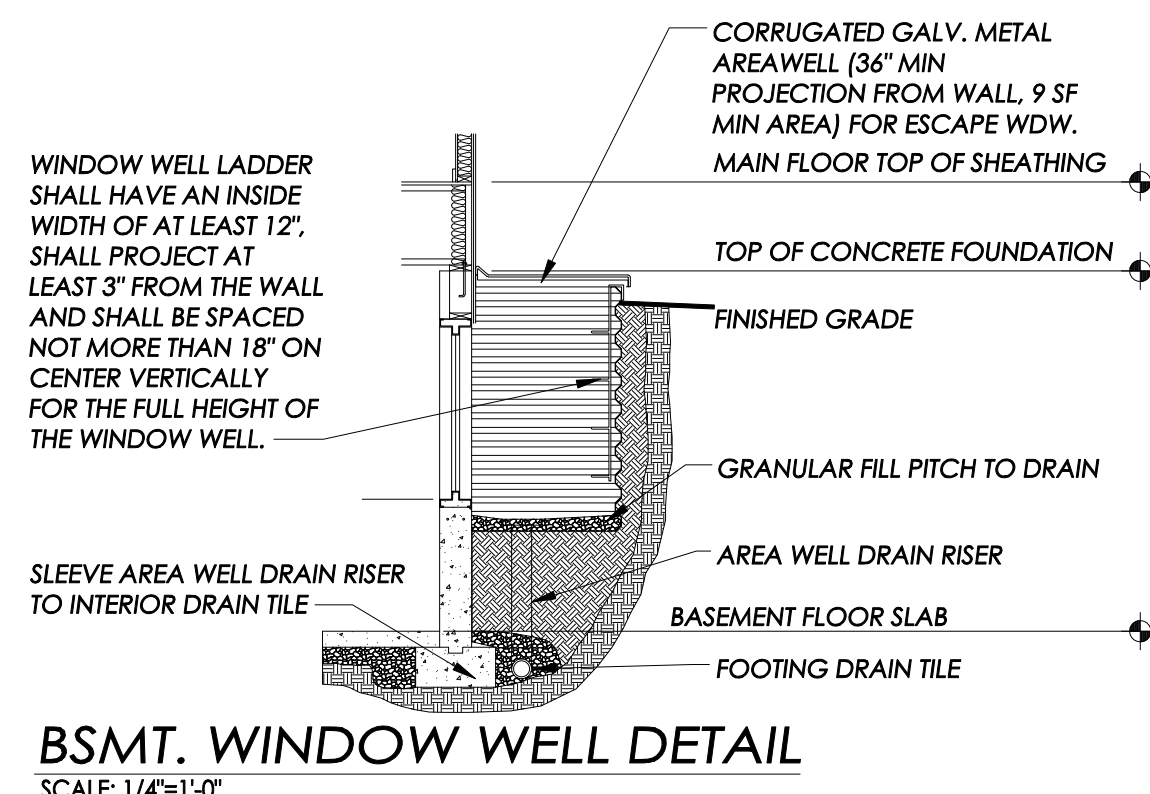
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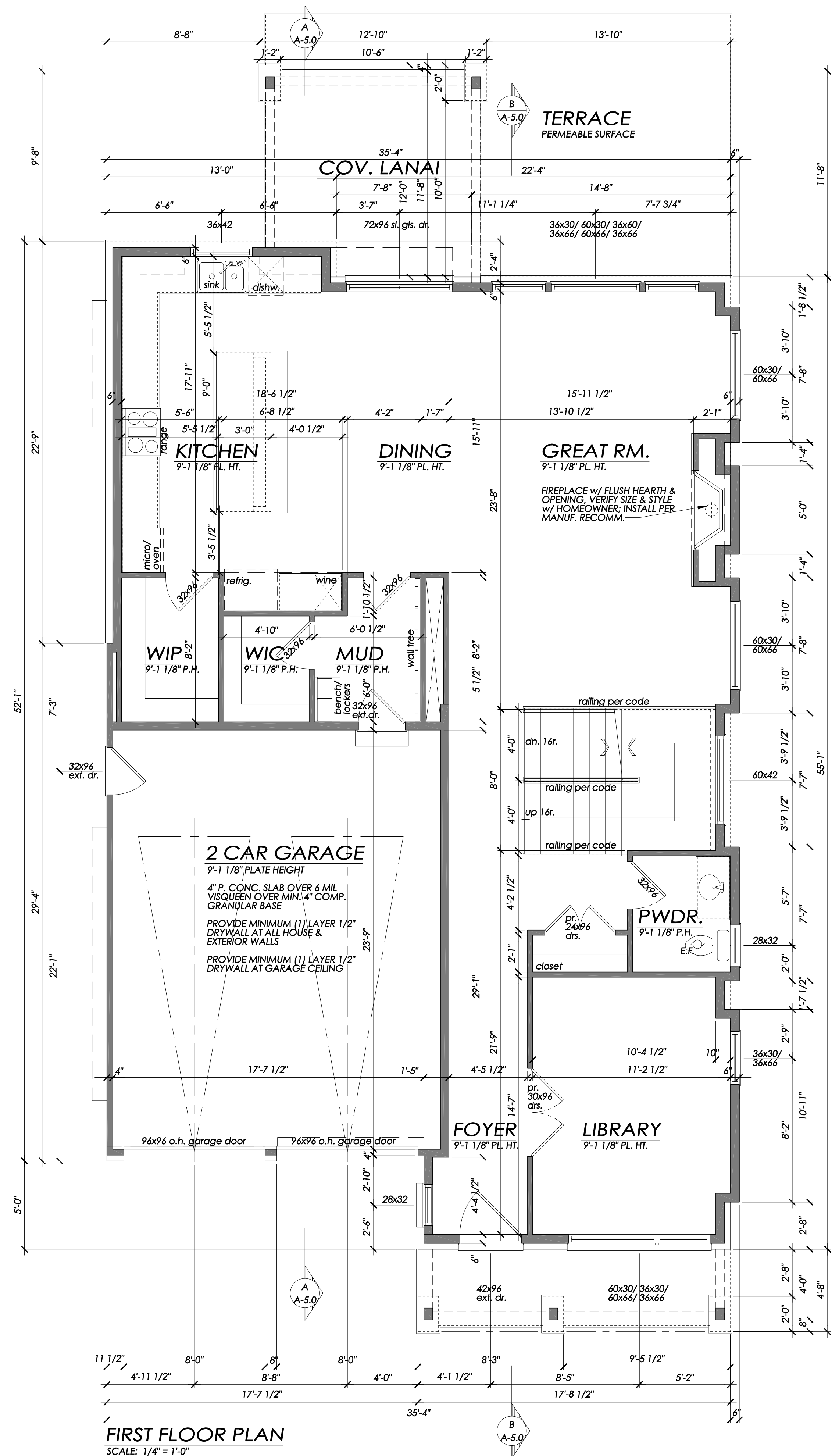
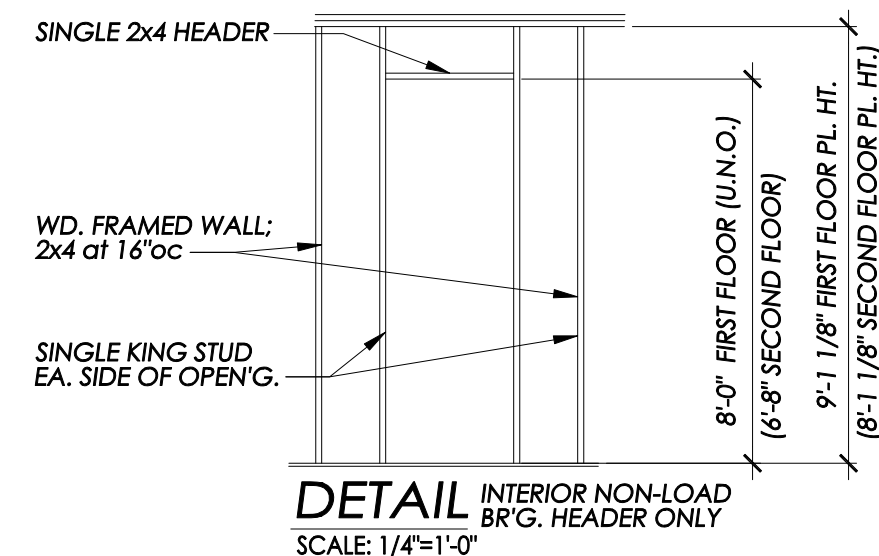
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review/ easesm't. 2023-0202  
stair detail 2023-0213

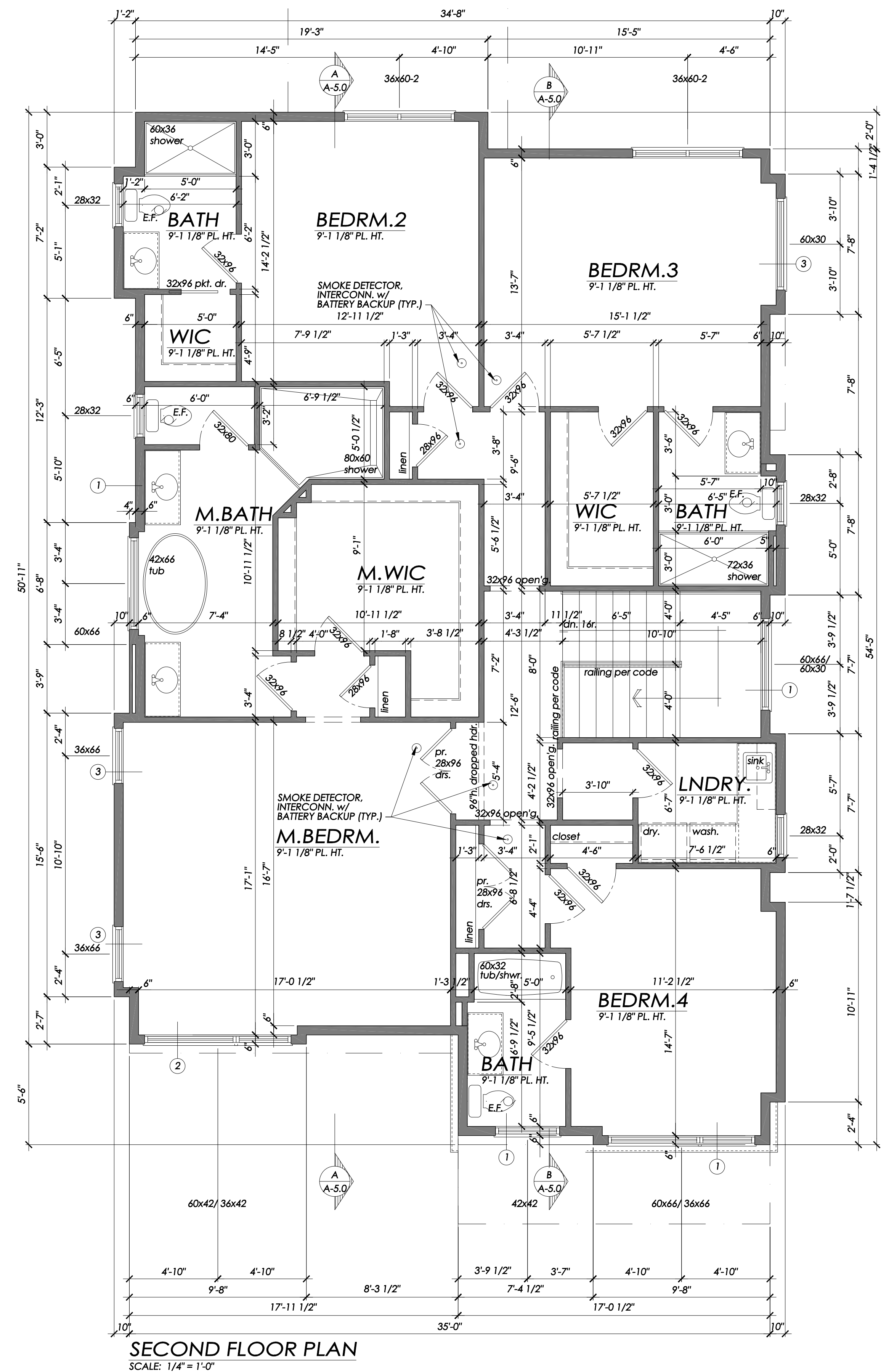
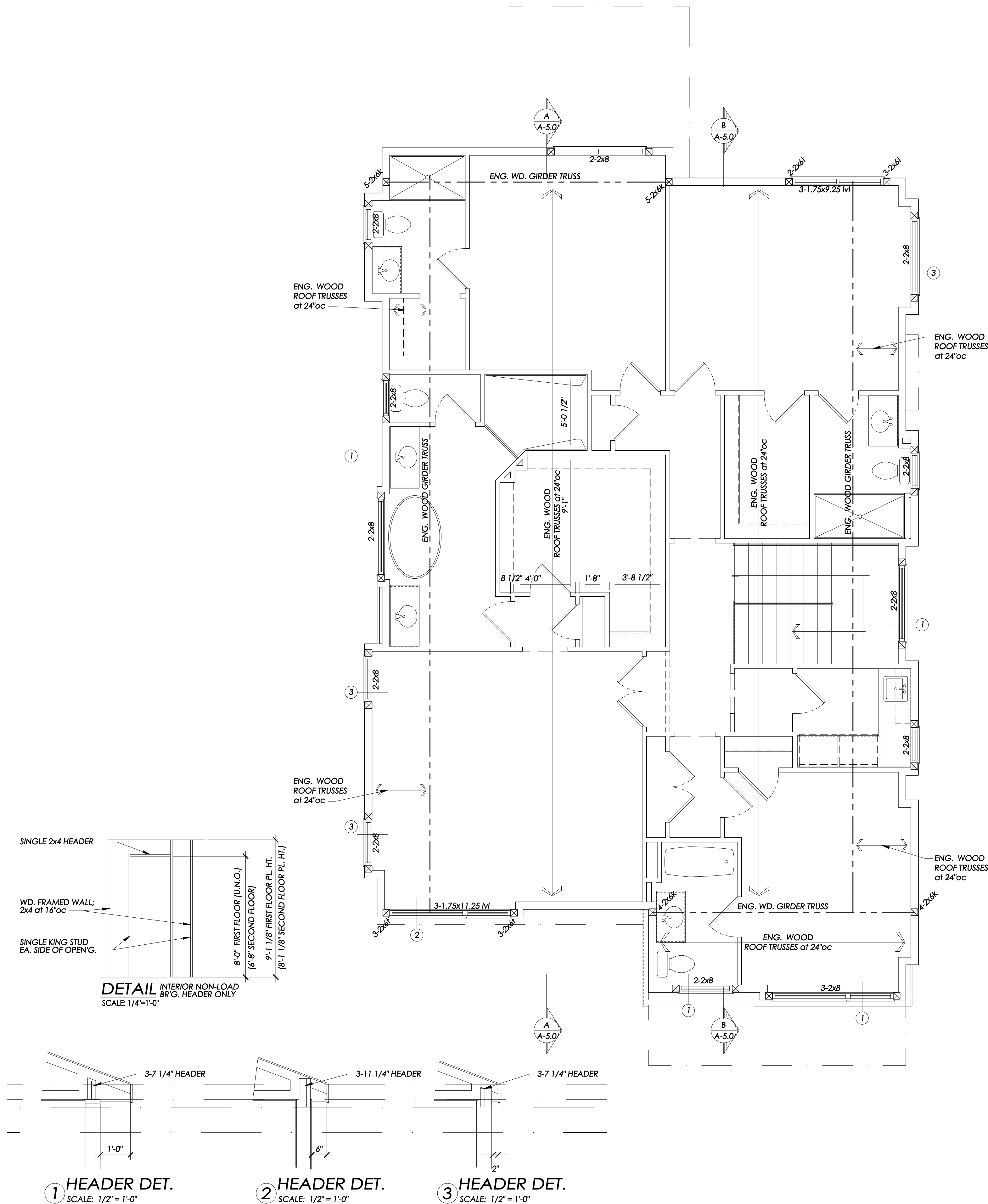
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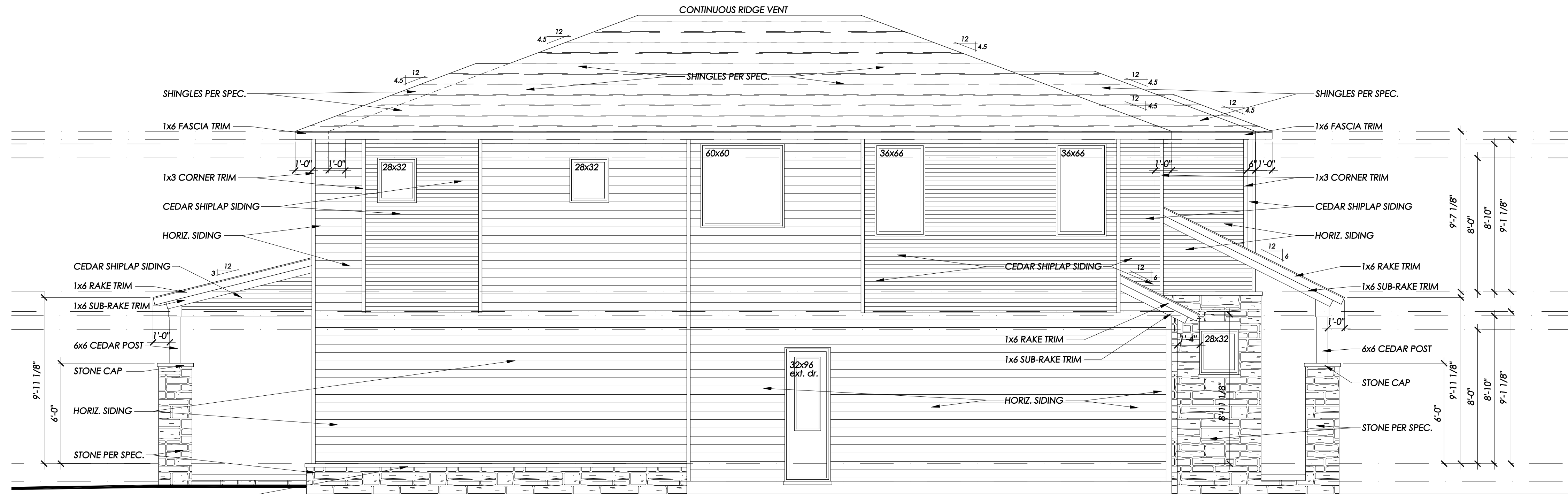




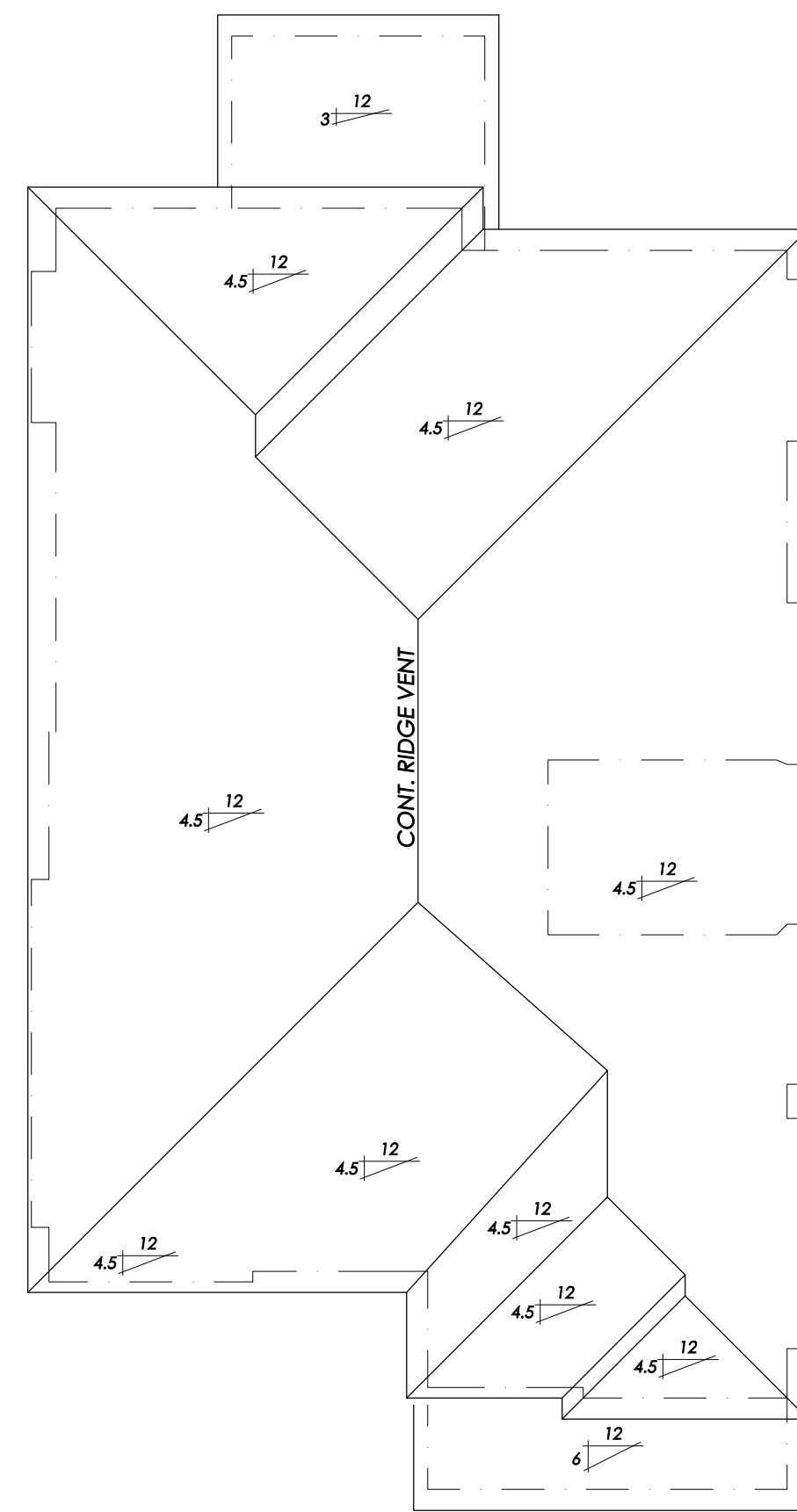




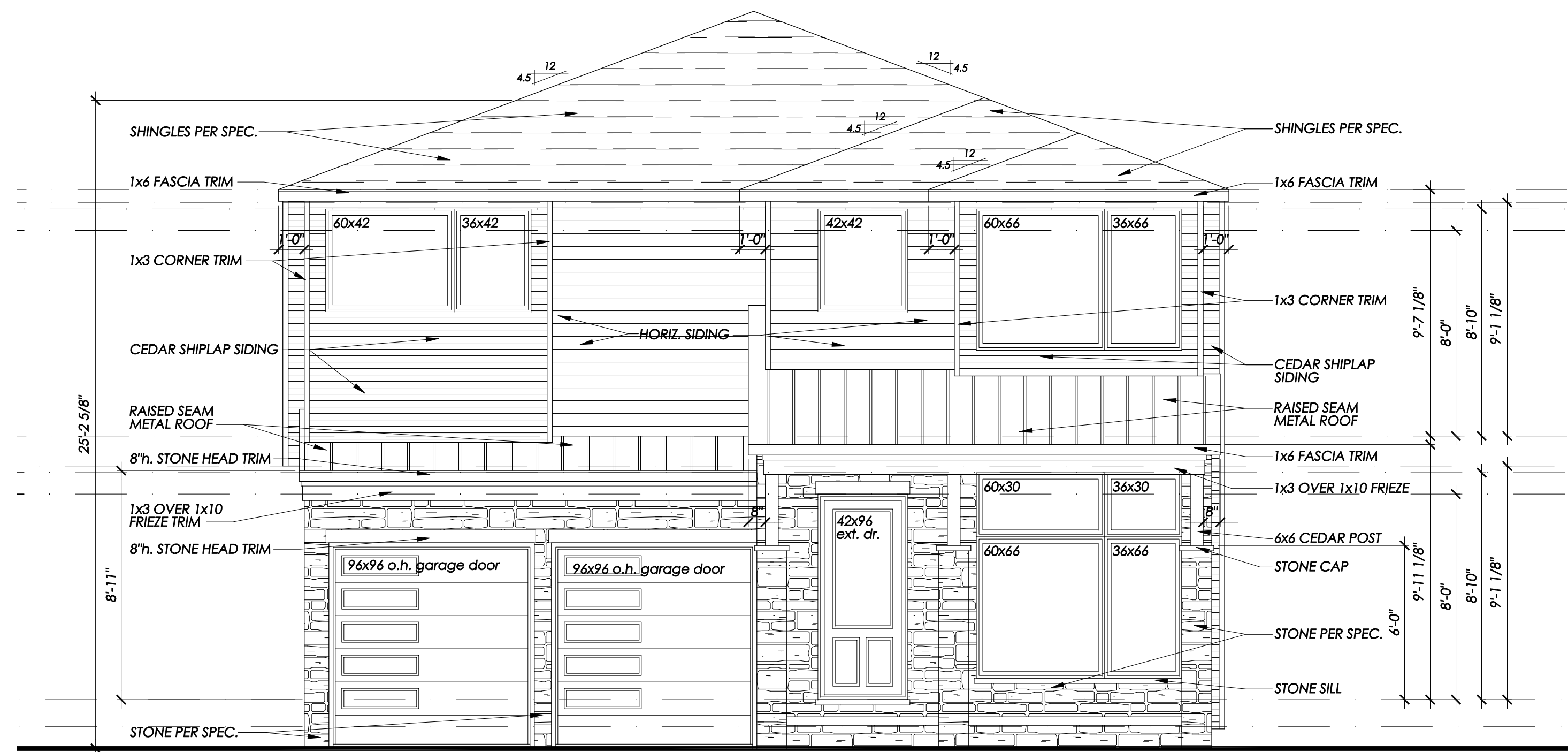




LEFT SIDE ELEVATION  
SCALE: 1/4"=1'-0"



SCHEMATIC ROOF PLAN  
SCALE: 1/8"=1'-0"



FRONT ELEVATION  
SCALE: 1/4"=1'-0"

builder:  
Babi Construction

project:  
2648 Dorchester  
Birmingham, Michigan

sheet description:  
Elevations & Roof Plan

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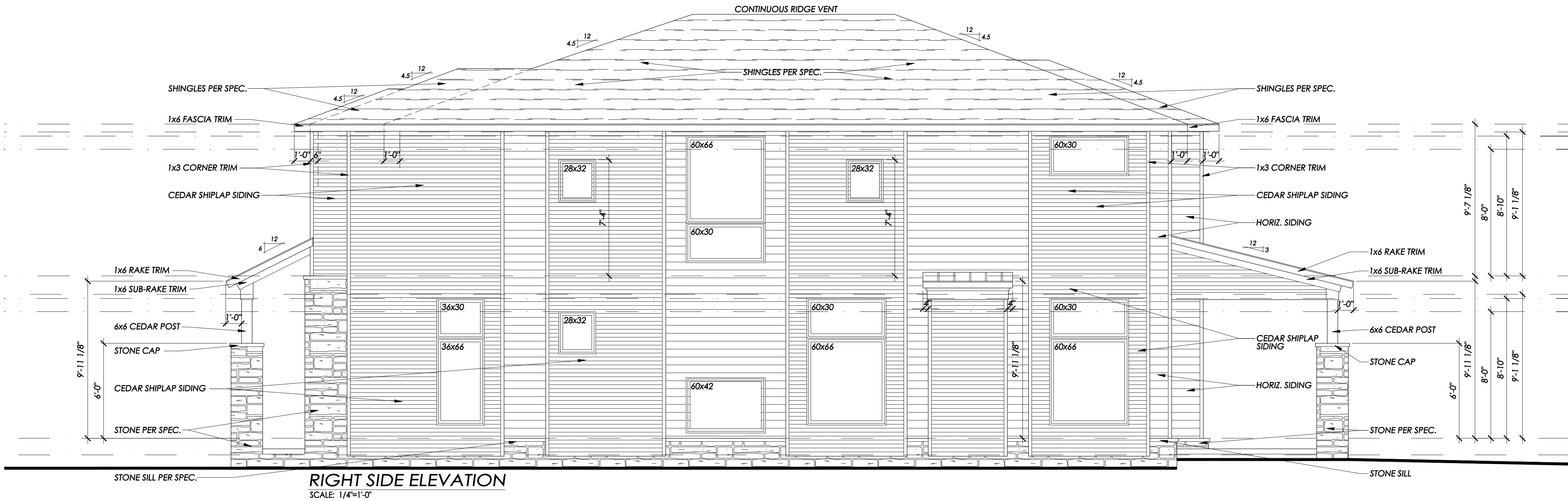
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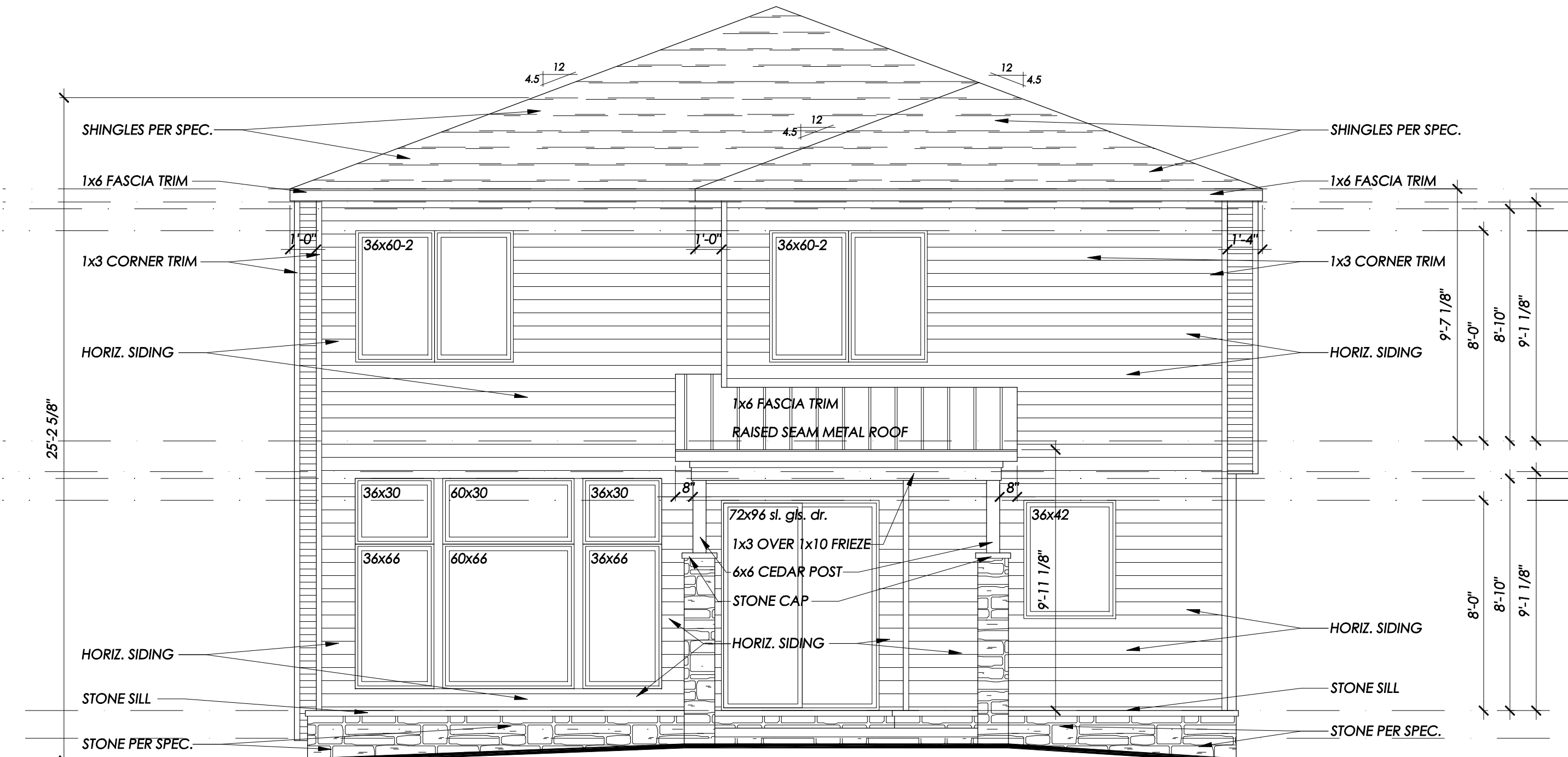
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prelim. review 2023-0119  
review/ easem't. 2023-0202  
stair detail 2023-0213

sheet  
A-3.0



RIGHT SIDE ELEVATION  
SCALE: 1/4"=1'-0"



REAR ELEVATION  
SCALE: 1/4"=1'-0"

builder:  
Babi Construction

project:  
2648 Dorchester  
Birmingham, Michigan

sheet description:  
Elevations

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prelim. review 2023-0119  
review/ easem't. 2023-0202  
stair detail 2023-0213



# **CASE DESCRIPTION**

**1267 Pilgrim (23-14)**

**Hearing date: April 11, 2023**

**Appeal No. 23-14:** The owner of the property known as **1267 Pilgrim**, requests the following variance to construct an egress window well in the front open space:

A. Chapter 126, Article 4, Section 4.30(C)(4) of the Zoning Ordinance does not allow window wells to project into the required front open space. The proposed window well projects into the front open space. Therefore, a variance to allow a window well to be constructed in the front open space is requested.

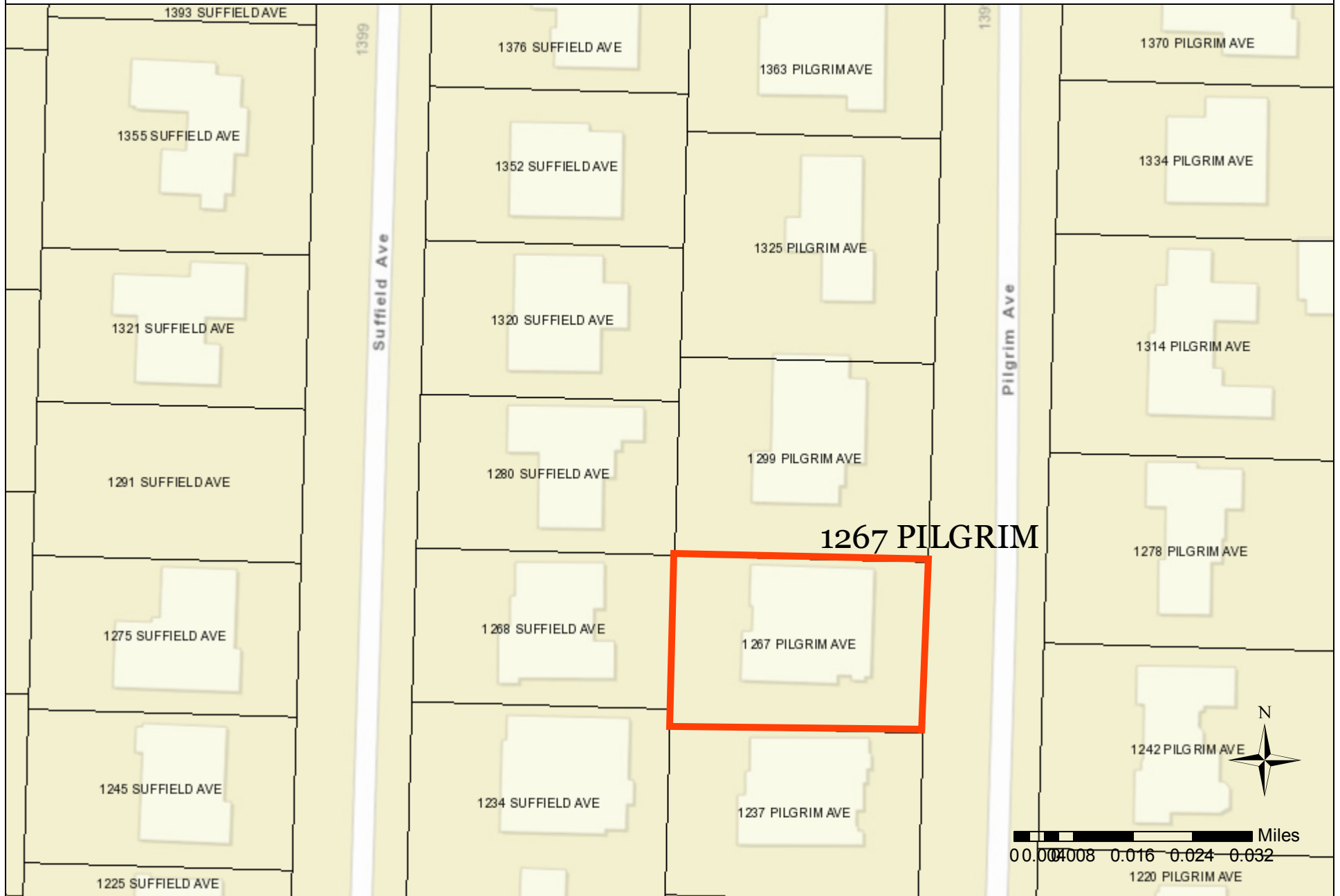
**Staff Notes:** This applicant is requesting to construct a window well in the front open space to the existing home that was built in 2000. The basement is finished (time and permit unknown). There are records of a repair due to water in 2009 that indicates the basement was already finished at that time.

This property is zoned R1 – Single family residential.

---

Jeff Zielke, NCIDQ, LEED AP  
Assistant Building Official

## 1267 PILGRIM MAP





**CITY OF BIRMINGHAM**  
**Community Development - Building Department**  
 151 Martin Street, Birmingham, MI 48009  
 Community Development: 248-530-1850  
 Fax: 248-530-1290 / [www.bhamgov.org](http://www.bhamgov.org)

**APPLICATION FOR THE BOARD OF ZONING APPEALS**

Received Date: 03/13/2023

Hearing Date: 04/11/2023

Received By: HT

Appeal #: 23-14

<b>Type of Variance:</b>	<input type="checkbox"/> Interpretation	<input checked="" type="checkbox"/> Dimensional	<input type="checkbox"/> Land Use	<input type="checkbox"/> Sign	<input type="checkbox"/> Admin Review
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**I. PROPERTY INFORMATION:**

Address: <b>1267 PILGRIM</b>	Lot Number: <b>26</b>	Sidwell Number: <b>08-19-26-206-016</b>
------------------------------	-----------------------	---

**II. OWNER INFORMATION:**

Name: <b>Mikhail Pinelis</b>			
Address: <b>1267 Pilgrim</b>	City: <b>Birmingham</b>	State: <b>MI</b>	Zip code: <b>48009</b>
Email: * <b>mike@microtechventures.com</b>		Phone: <b>734-277-3599</b>	

**III. PETITIONER INFORMATION:**

Name: <b>Todd Emerson</b>	Firm/Company Name: <b>Sterling Development Corporation</b>		
Address: <b>2382 Franklin Rd.</b>	City: <b>Bloomfield Hills</b>	State: <b>MI</b>	Zip code: <b>48302</b>
Email: <b>TODD@SDC.BUILD</b>		Phone: <b>248-320-2185</b>	

**IV. GENERAL INFORMATION:**

The Board of Zoning Appeals typically meets the second Tuesday of each month. COMPLETE digital applications along with supporting documents must be submitted on or before the 12<sup>th</sup> day of the month preceding the next regular meeting. Please note that incomplete applications will not be accepted.

**To insure complete applications are provided, appellants must schedule a pre-application meeting with the Building Official, Assistant Building Official and/or City Planner for a preliminary discussion of their request and the documents that will be required to be submitted.** Staff will explain how all requested variances must be highlighted on the survey, site plan and construction plans. Each variance request must be clearly shown on the survey and plans including a table as shown in the example below. All dimensions to be shown in feet measured to the second decimal point.

The BZA application fee is \$360.00 for single family residential; \$560.00 for all others. This amount includes a fee for a public notice sign which must be posted at the property at least 15-days prior to the scheduled hearing date.

**Variance Chart Example**

Requested Variances	Required	Existing	Proposed	Variance Amount
Variance A, Front Setback	25.00 Feet	23.50 Feet	23.50 Feet	1.50 Feet
Variance B, Height	30.00 Feet	30.25 Feet	30.25 Feet	0.25 Feet

**V. REQUIRED INFORMATION CHECKLIST:**

**Please provide the following in your electronic submission:**

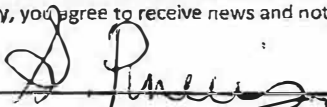

- ☐ Completed and signed application
- ☐ Signed letter of practical difficulty and/or hardship
- ☐ Certified survey
- ☐ Building plans including existing and proposed floor plans and elevations
- ☐ If appealing a board decision, provide a copy of the minutes from any previous Planning, HDC, or DRB board meeting

**VI. APPLICANT SIGNATURE**

Owner hereby authorizes the petitioner designated below to act on behalf of the owner.

By signing this application, I agree to conform to all applicable laws of the City of Birmingham. All information submitted on this application is accurate to the best of my knowledge. Changes to the plans are not allowed without approval from the Building Official or City Planner.

\*By providing your email to the City, you agree to receive news and notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.

Signature of Owner: 	Date: <u>3/13/23</u>
Signature of Petitioner: 	Date: <u>3/10/23</u>

**CITY OF BIRMINGHAM  
BOARD OF ZONING APPEALS  
RULES OF PROCEDURE**

**ARTICLE I - Appeals**

- A. Appeals may be filed under the following conditions:
1. A property owner may appeal for variance, modification or adjustment of the requirements of the Zoning Ordinance.
  2. A property owner may appeal for variance, modification or adjustment of the requirements of the Sign Ordinance.
  3. Any aggrieved party may appeal the decision of the Planning Board and/or the Building Official in accordance with the City of Birmingham Zoning Ordinance, Article Eight, Section 8.01 (D) Appeals. If an appellant requests a review of any determination of the Building Official, a complete statement setting forth the facts and reasons for the disagreement with the Building Official's determination shall include the principal point, or points on the decision, order or section of the ordinance appealed from, on which the appeal is based.
- B. Procedures of the Board of Zoning Appeals (BZA) are as follows:
1. Regular BZA meetings, which are open to the public, shall be held on the second Tuesday of the month at 7:30 P.M. provided there are pending appeals. There will be a maximum of seven appeals heard at the regular meeting which are taken in the order received. If an appeal is received on time after the initial seven appeals have been scheduled, it will be scheduled to the next regular meeting.
  2. All applications for appeal shall be submitted to the Community Development Department on or before the 12<sup>th</sup> day of the month preceding the next regular meeting. If the 12<sup>th</sup> falls on a Saturday, Sunday, or legal holiday, the next working day shall be considered the last day of acceptance.
  3. All property owners and occupants within 300 feet of the subject property will be given written notice of a hearing by the City of Birmingham.
  4. See the application form for specific requirements. If the application is incomplete, the BZA may refuse to hear the appeal. The Building Official or City Planner may require the applicant to provide additional information as is deemed essential to fully advise the Board in reference to the appeal. Refusal or failure to comply shall be grounds for dismissal of the appeal at the discretion of the Board.
  5. In variance requests, applicants must provide a statement that clearly sets forth all special conditions that may have contributed to a practical difficulty that is preventing a reasonable use of the property.



6. Where the Birmingham Zoning Ordinance requires site plan approval of a project by the City Planning Board before the issuance of a building permit, applicants must obtain preliminary site plan approval by the Planning Board before appeal to the BZA for a variance request. If such appeal is granted by the BZA, the applicant must seek final site plan and design review approval from the Planning Board before applying for a building permit.
  7. An aggrieved party may appeal a Planning Board decision. Such appeal must be made within 30 days of the date of the decision. The BZA, in its discretion, may grant additional time in exceptional circumstances.
  8. Appeals from a decision of the Building Official shall be made within 30 days of the date of the order, denial of permit, or requirement or determination contested. The BZA, in its discretion, may grant additional time in exceptional circumstances.
  9. An appeal stays all proceedings in accordance with Act #110, Public Acts of 2006, Article VI, Section 125.3604 (3).
- C. The order of hearings shall be:
1. Presentation of official records of the case by the Building Official or City Planner as presented on the application form.
  2. Applicant's presentation of his/her case—the applicant or his/her representative must be present at the appeal hearing.
  3. Interested parties' comments and view on the appeal.
  4. Rebuttal by applicant.
  5. The BZA may make a decision on the matter or request additional information.
- D. Motions and Voting
1. A motion is made to either grant or deny a petitioner's request
    - a) For a motion to grant or deny a non-use variance request, the motion must receive four (4) affirmative votes to be approved.
    - b) For a motion to grant or deny a use variance request, the motion must receive five (5) affirmative votes to be approved.
    - c) For a motion to grant or deny an appeal of a decision or order by an administrative official or board, the motion must receive four (4) affirmative votes to be approved.
  2. When a motion made is to approve or deny a petitioner's request and if there is a tie vote, then the vote results in no action by the board and the petitioner shall be given an opportunity to have his or her request heard the next regularly scheduled meeting when all the members are present.
-

3. When there are less than seven (7) members of the board present for a meeting, then a petitioner requesting a use variance shall be given an opportunity at the beginning of the meeting to elect to have it heard at the next regularly scheduled meeting.
4. When there are less than six (6) members present for a meeting, then all petitioners shall be given an opportunity at the beginning of the meeting to elect to have the request heard at the next regularly scheduled meeting.

## **ARTICLE II - Results of an Appeal**

- A. The Board may reverse, affirm, vary or modify any order, requirement, decision or determination as in its opinion should be made, and to that end, shall have all the powers of the officer from whom the appeal has been taken.
- B. The decisions of the Board shall not become final until the expiration of five (5) days from the date of entry of such orders or unless the Board shall find that giving the order immediate effect is necessary for the preservation of property and/or personal rights and shall so certify on the record.
- C. Whenever any variation or modification of the Zoning Ordinance is authorized by resolution of the BZA, a Certificate of Survey must be submitted to the Community Development Department with the building permit application. A building permit must be obtained within one year of the approval date.
- D. Failure of the appellant, or his representative, to appear for his appeal hearing will result in the appeal being adjourned to the next regular meeting. If, after notice, the appellant fails to appear for the second time, it will result in an automatic withdrawal of the appeal. The appellant may reapply to the BZA.
- E. Any applicant may, with the consent of the Board, withdraw his application at any time before final action.
- F. Any decision of the Board favorable to the applicant is tied to the plans submitted, including any modifications approved by the Board at the hearing and agreed to by the applicant, and shall remain valid only as long as the information or data provided by the applicant is found to be correct and the conditions upon which the resolution was based are maintained.

## **ARTICLE III - Rehearings**

- A. No rehearing of any decision of the Board shall be considered unless new evidence is submitted which could not reasonably have been presented at the previous hearing or unless there has been a material change of facts or law.
-

B. Application or rehearing of a case shall be in writing and subject to the same rules as an original hearing, clearly stating the new evidence to be presented as the basis of an appeal for rehearing.

I certify that I have read and understand the above rules of procedure for the City of Birmingham Board of Zoning Appeals.



Signature of Applicant





# STERLING DEVELOPMENT

## C O R P O R A T I O N

March 10, 2023

City of Birmingham  
Zoning Board of Appeals  
151 Martin Street  
Birmingham, MI 48009

RE: 1267 Pilgrim request for Dimension Variance

Dear Zoning Board Members and Building Officials,

On behalf of my clients, Mikhail and Susanna Pinelis, who purchased the existing home located at 1267 Pilgrim in October of 2022, I am requesting a dimensional variance of 2.25 feet of the front yard setback for an egress window well. Current code is requiring 40.35 feet; we would like to adjust that setback to 38.10. Additionally, current code does not permit an egress window in the front of the house.

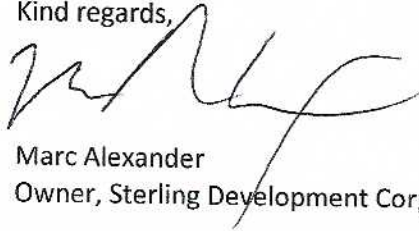
This existing home has a full finished basement with a bedroom. Currently, there are no egress windows in the basement. There is no record of when the basement was finished, but the age of the appliances lends us to believe that it was when the home was built in 2000-2001 or very shortly after. As of 2015, code requires egress exits in basement bedrooms and is imperative to the safety of this young family or anyone sleeping in that bedroom.

Code requires egress window wells to be installed on the side open space or in the rear open space, but is not permitted in the front yard. In this home, the basement bedroom is located in the front of the home, on the southeast corner of the basement. The basement bedroom has two exterior walls, however only one foundation wall is eligible for the egress window, which is in the front of the house. The other exterior wall in the basement bedroom is below a chimney and side porch and, therefore, not a viable option for an egress window. Additionally, there are no other areas in the basement where an egress window could go because of the location of the garage and driveway (south side of home); patio on rear of home; and mechanicals (AC units, sump pump, electrical meter, exhaust vents, gas meter) all located on the north side of the home.

The egress well we propose will meet code size requirements. The well will be 36 inches in projection and 60 inches wide. The egress well will be 60 inches deep and will finish 2 inches above grade. Additionally, the homeowner will have a professional landscaper plant shrubs around the well, so that it is not visible from the street.

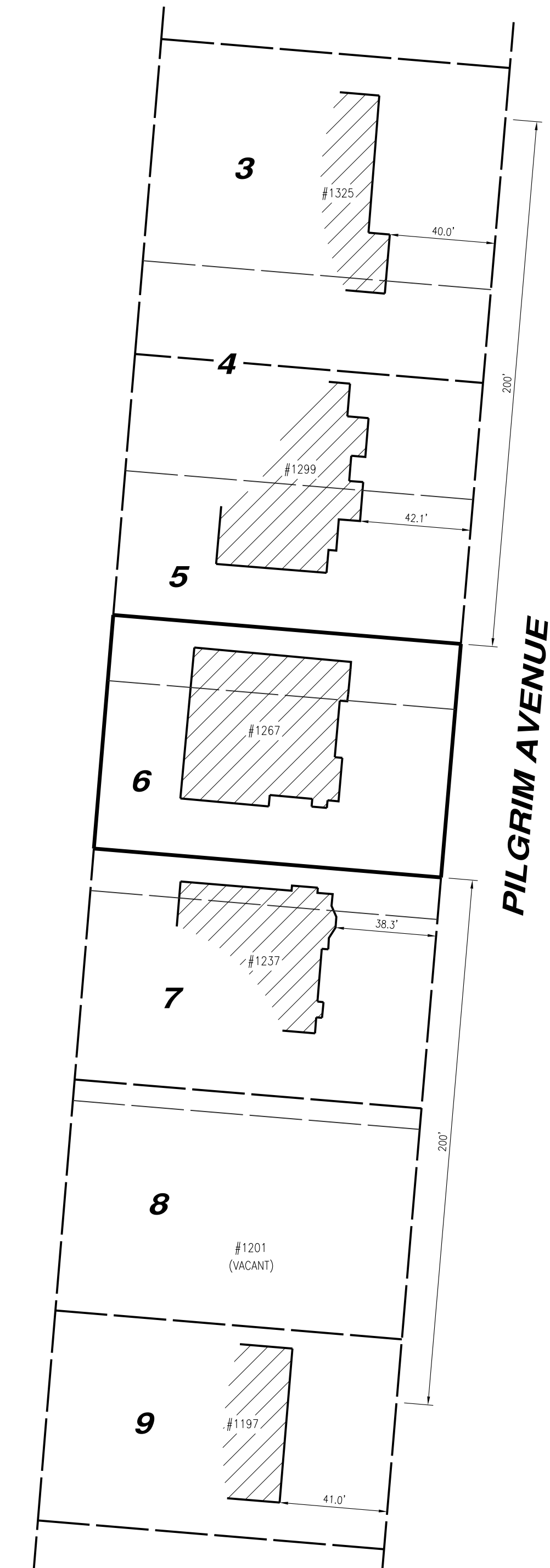
The current front porch protrudes into the front yard 10 feet. Current code would allow me to extend the width of the front porch to the southeast corner of the home encroaching 10 feet into the set back, yet, code will not let me install a small egress window into the front yard setback even 2.25 feet. In this special case, safety should take priority over the location of the Egress well. While we can appreciate the need for codes and guidance in placing egress windows on a property, we must error on the side of human safety first and foremost. Adding an egress well to the front of this property has no impact on the neighborhood, neighbors, or community. The lack of an egress window in the bedroom could negatively impact the family living in this home and negatively impact the community in the event of a fire.

Kind regards,

A handwritten signature in black ink, appearing to read 'Marc Alexander', written over the printed name and title.

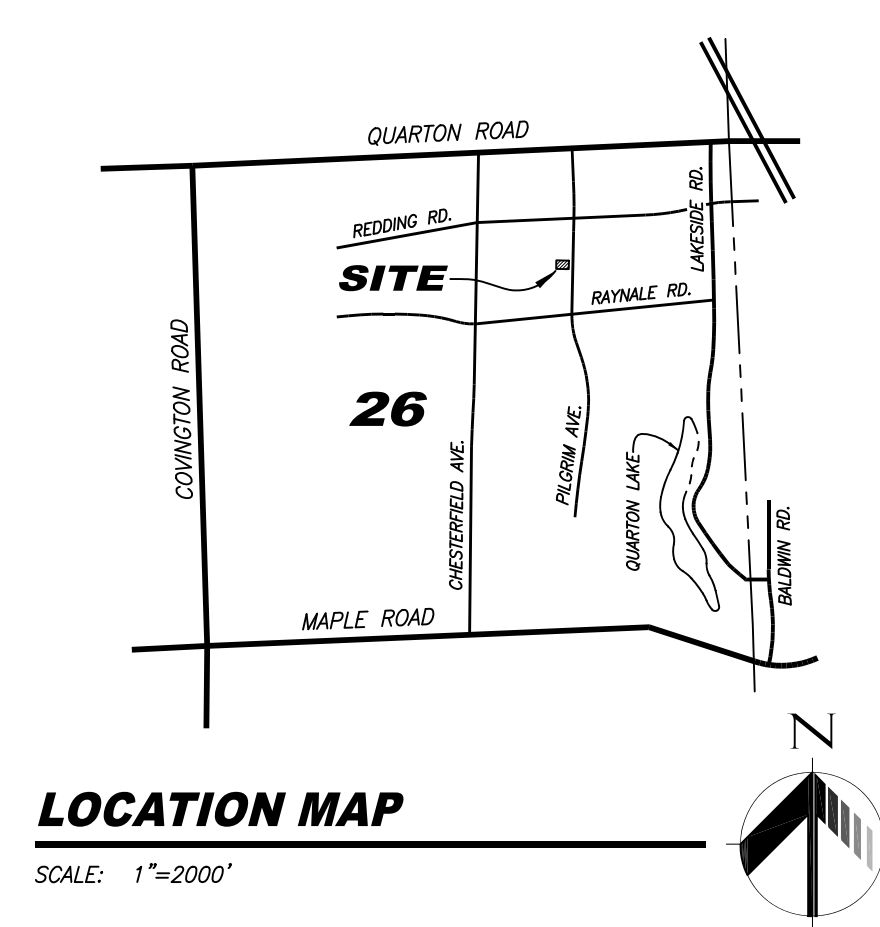
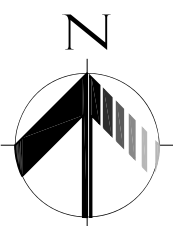
Marc Alexander  
Owner, Sterling Development Corporation





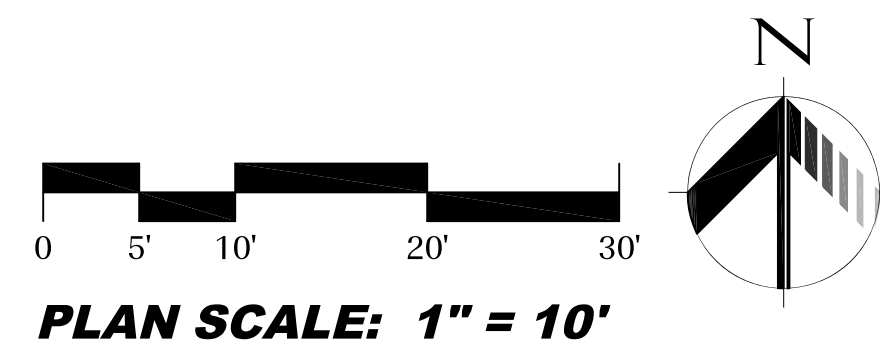
#### FRONT SETBACK SURVEY

SCALE: 1" = 40'



#### PROPERTY DESCRIPTION

PARCEL NO. 19-26-206-016  
THE SOUTH 25 FEET OF LOT 5 AND THE NORTH 64 FEET OF LOT 6, "CASPAR J. LINGEMAN'S QUARTON ROAD UNIT OF QUARTON LAKES ESTATES", A RESUBDIVISION OF LOTS 509 AND 680 INCLUSIVE OF QUARTON LAKE ESTATES SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 26, TOWN 2 NORTH, RANGE 10 EAST, BLOOMFIELD TOWNSHIP (NOW CITY OF BIRMINGHAM), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 38 OF PLATS, PAGE 2 OF OAKLAND COUNTY RECORDS.



#### SITE CRITERIA

- ADDRESS: #1267 PILGRIM AVENUE
- PARCEL ID NO.: 19-26-206-016
- ZONING: R-1, SINGLE FAMILY RESIDENTIAL
- PARCEL AREA AS SURVEYED = 11,775.32 S.F. (0.270 ACRE)
- REQUIRED FRONT YARD SETBACK = 40.35'

#### VARIANCE SUMMARY

REQUESTED VARIANCES	REQUIRED	PROPOSED	VARIANCE AMOUNT
VARIANCE "A", FRONT YARD SETBACK TO EGRESS WINDOW WELL	40.35 FEET	38.10 FEET	2.25 FEET

#### LEGEND

	EXISTING ASPHALT PAVEMENT		EXISTING PAVERS
	EXISTING CONCRETE PAVEMENT		

#### CONTRACTOR'S NOTE

The locations of existing underground utilities are shown in an approximate way only. The contractor shall determine the exact location of all existing utilities before commencing work. He agrees to be fully responsible for any and all damages which might be occasioned by his failure to exactly locate and preserve any and all underground utilities.

3 WORKING DAYS BEFORE YOU DIG CALL MISS DIG 1-800-482-7171 (TOLL FREE) for the location of underground utilities.

The contractor shall be responsible for adhering to all applicable local, state, and federal standards, specifications, and guidelines for construction.

REVISIONS:

CLIENT: STERLING CLINTON HOMES  
2382 FRANKLIN ROAD  
BLOOMFIELD HILLS, MI 48302  
(248) 262-2036

JOB NO: 23-007  
DATE: 8-8-23  
DRAWN BY: N.P.R.

SEAL:

**HORIZON**  
ENGINEERING LLC  
CIVIL ENGINEERING, SITE PLANNING & LAND DEVELOPMENT CONSULTING  
P.O. Box 182158, Shelby Township, Michigan 48318  
Phone 586-453-8097

PROJECT:

Parts of Lots 5 & 6  
"Caspar J. Lingeman's Quarton Road  
Unit of Quarton Lakes Estates"  
#1267 PILGRIM AVENUE, PARCEL NO. 19-26-206-016  
PART OF THE NE 1/4 OF SECTION 26, T.2N., R.10E.,  
CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN

PLAN:

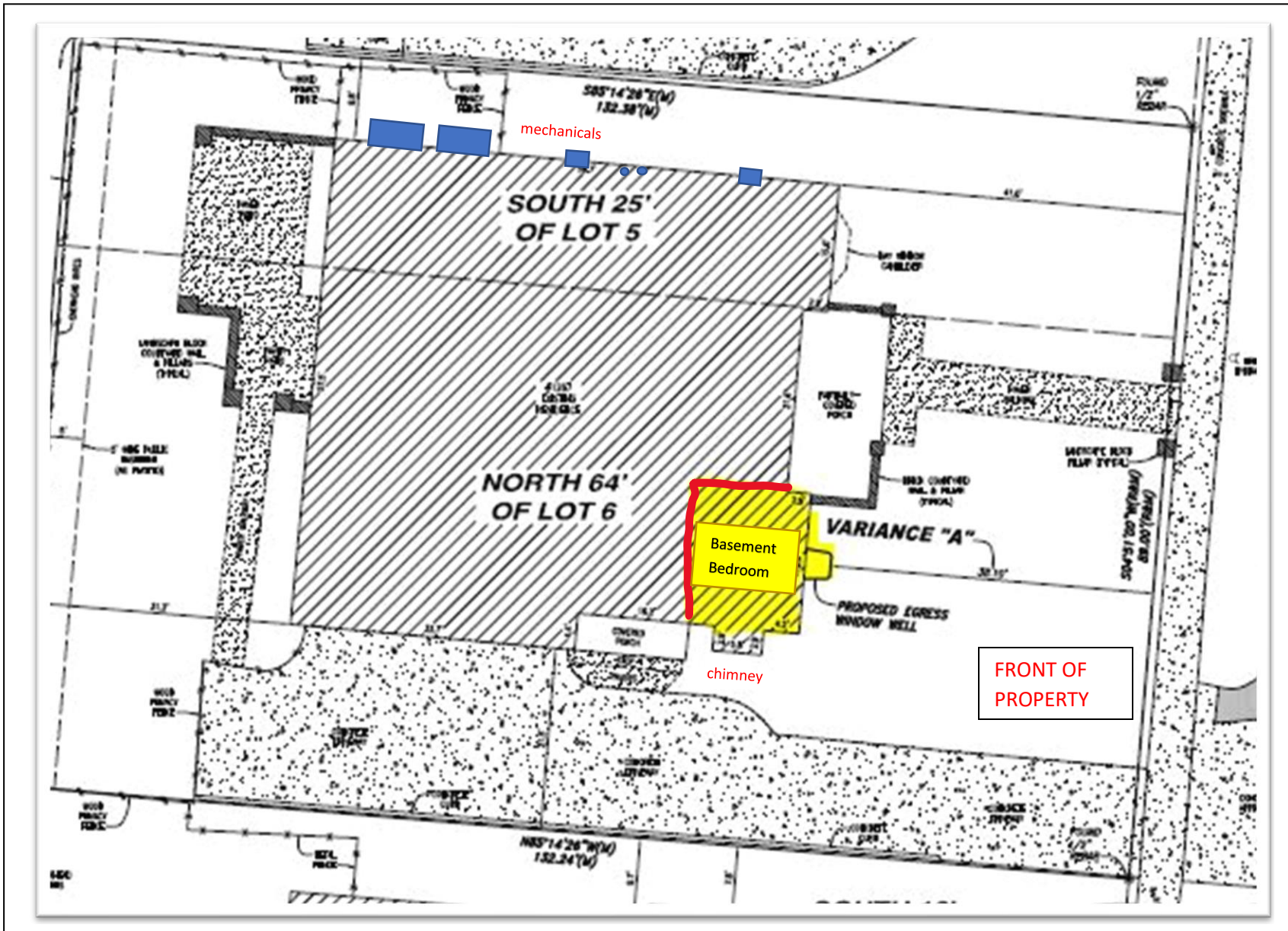
**SITE PLAN**

SHEET:

**1** OF **1**

MUNICIPAL REVIEW NUMBERS:







**BASEMENT BEDROOM**

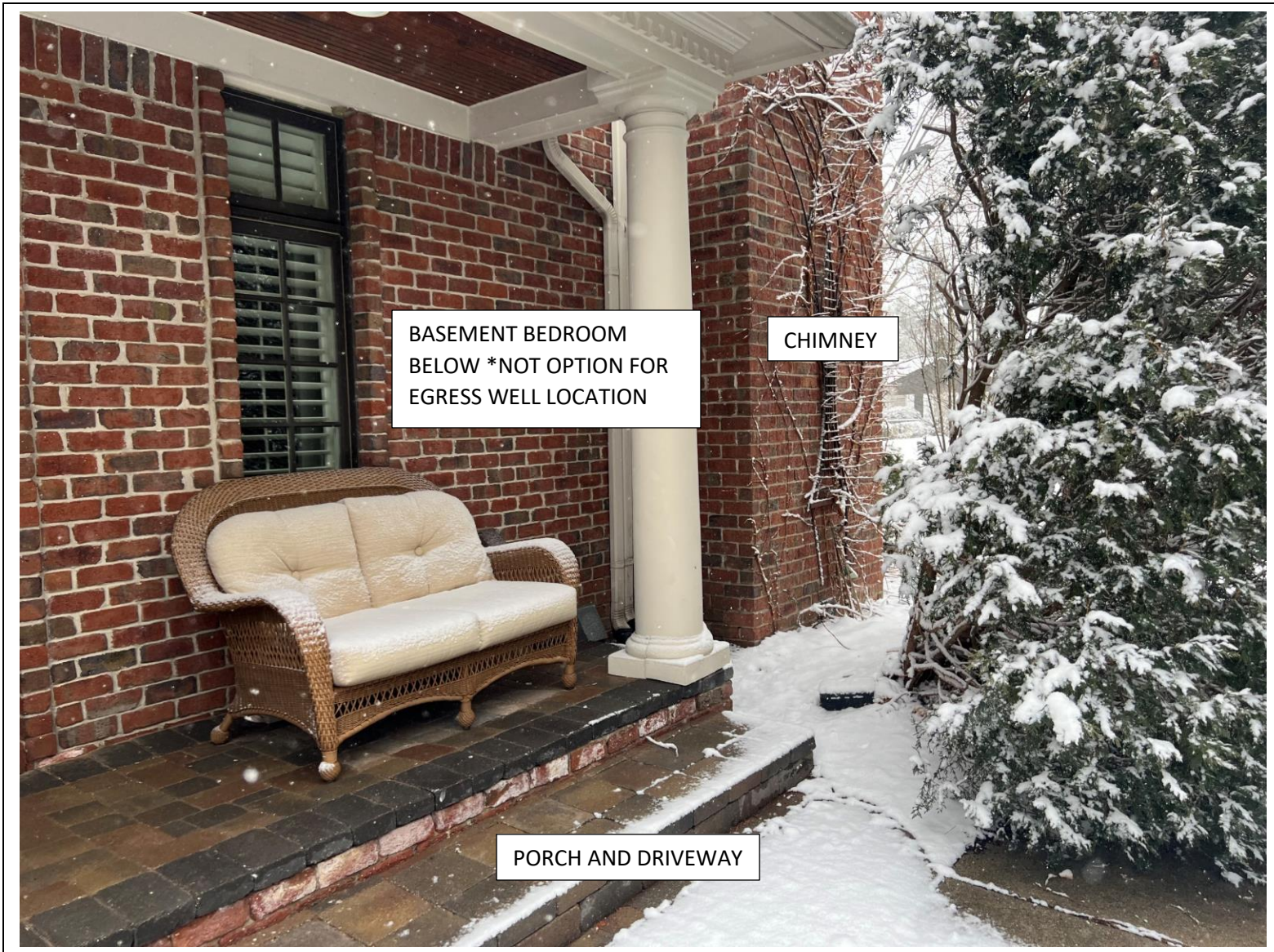


FRONT OF HOME



THIS WALL HAS  
CHIMNEY AND  
PORCH ABOVE IT





BASEMENT BEDROOM  
BELOW \*NOT OPTION FOR  
EGRESS WELL LOCATION

CHIMNEY

PORCH AND DRIVEWAY





#### VARIANCE

1. REQUESTING TO PLACE EGRESS WELL IN FRONT YARD OPEN SPACE
2. ADJUSTING YARD SETBACK TO BE 38.10. NEEDING 2.25 FEET VARIANCE





SIDE YARD, NORTH SIDE  
LOCATION OF MECHANICALS AND  
MECHANICAL ROOM IN  
BASEMENT ALONG THIS SIDE



REAR YARD, WEST SIDE OF HOUSE  
PATIO AND GARAGE

# **CASE DESCRIPTION**

## **1563 Lakeside (23-15)**

**Hearing date: April 11, 2023**

**Appeal No. 23-15:** The owner of the property known as **1563 Lakeside**, requests the following variance regarding the height of a fence in the front open space:

A. Chapter 126, Article 4, Section 4.11(A)(2) of the Zoning Ordinance states that fences located in the required front open space shall not exceed 3.00 feet in height. The proposed fence is 6.00 in height. Therefore, a variance of 3.00 height is requested.

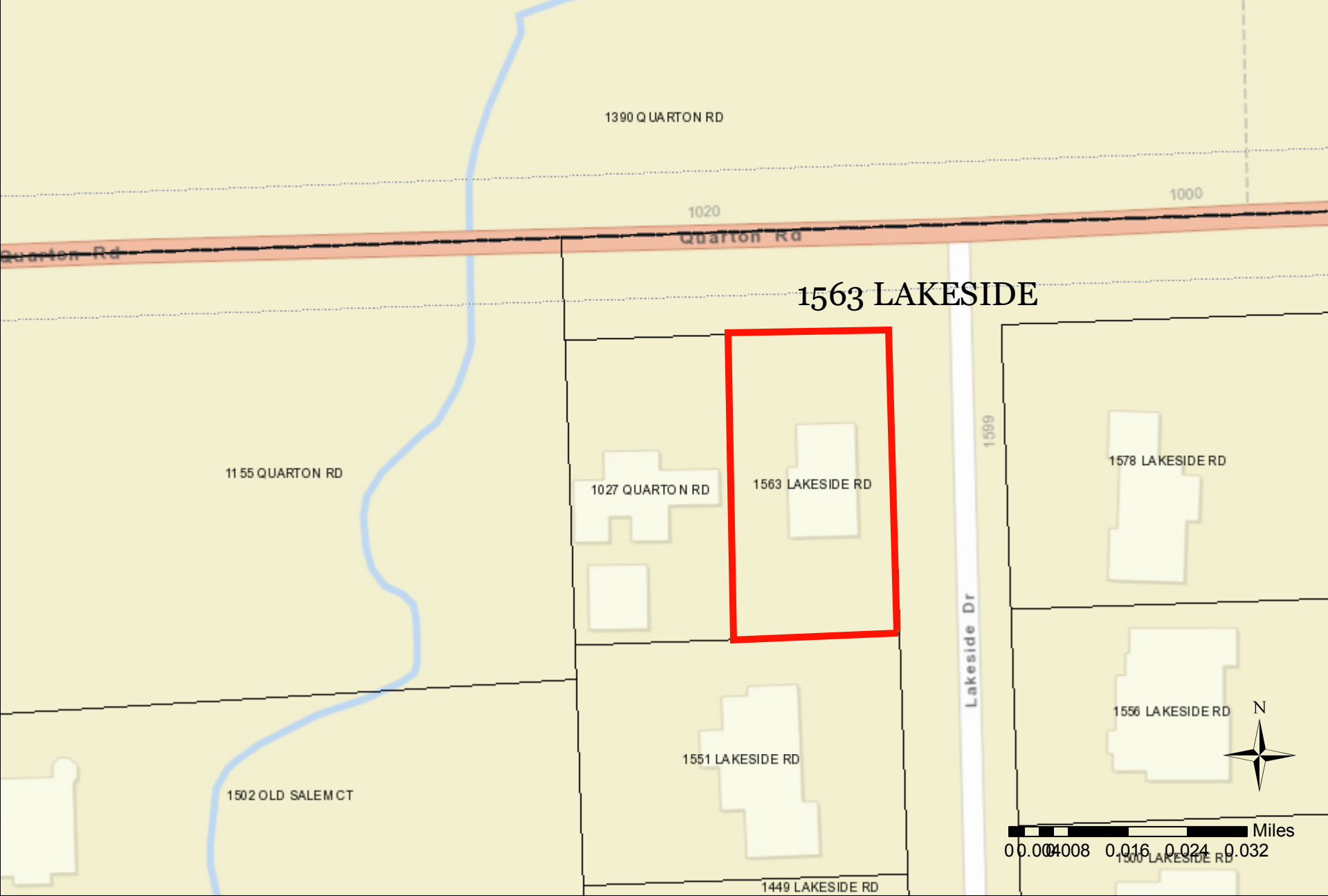
**Staff Notes:** This applicant is requesting to construct a 6.00 high fence in the required front yard. This property was granted variances in February 2022 for side yards (minutes attached).

This property is zoned R1 – Single family residential.

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Jeff Zielke, NCIDQ, LEED AP  
Assistant Building Official

1563 LAKESIDE MAP





**CITY OF BIRMINGHAM**  
**Community Development - Building Department**  
**151 Martin Street, Birmingham, MI 48009**  
Community Development: 248-530-1850  
Fax: 248-530-1290 / [www.bhamgov.org](http://www.bhamgov.org)  
**APPLICATION FOR THE BOARD OF ZONING APPEALS**

Application Date: 03/13/2023

Hearing Date: 04/11/2023

Received By: HT

Appeal #: 23-15

Type of Variance:	<input type="checkbox"/> Interpretation	<input checked="" type="checkbox"/> Dimensional	<input type="checkbox"/> Land Use	<input type="checkbox"/> Sign	<input type="checkbox"/> Admin Review
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**I. PROPERTY INFORMATION:**

Address: 1563 LAKESIDE Lot Number: 96 Sidwell Number: 19-26-226-008

**II. OWNER INFORMATION:**

Name: PT BESTURI  
Address: 395 GREENWOOD City: BHAM State: MI Zip code: 48009  
Email: \* P.BESTURI@EMAIL.COM Phone: 248-330-3350

**III. PETITIONER INFORMATION:**

Name: SAME AS ABOVE Firm/Company Name: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_  
Email: \_\_\_\_\_ Phone: \_\_\_\_\_

**IV. GENERAL INFORMATION:**

The Board of Zoning Appeals typically meets the second Tuesday of each month. Applications along with supporting documents must be submitted on or before the 12<sup>th</sup> day of the month preceding the next regular meeting. Please note that incomplete applications will not be accepted.

To insure complete applications are provided, appellants must schedule a pre-application meeting with the Building Official, Assistant Building Official and/or City Planner for a preliminary discussion of their request and the documents that will be required to be submitted. Staff will explain how all requested variances must be highlighted on the survey, site plan and construction plans. Each variance request must be clearly shown on the survey and plans including a table as shown in the example below. All dimensions to be shown in feet measured to the second decimal point.

The BZA application fee is **\$360.00** for single family residential; **\$560.00** for all others. This amount includes a fee for a public notice sign which must be posted at the property at least 15-days prior to the scheduled hearing date.

**Variance Chart Example**

Requested Variances	Required	Existing	Proposed	Variance Amount
Variance A, Front Setback	25.00 Feet	23.50 Feet	23.50 Feet	1.50 Feet
Variance B, Height	30.00 Feet	30.25 Feet	30.25 Feet	0.25 Feet

**V. REQUIRED INFORMATION CHECKLIST:**

- ☐ One original and nine copies of the signed application
- ☐ One original and nine copies of the signed letter of practical difficulty and/or hardship
- ☐ One original and nine copies of the certified survey
- ☐ 10 folded copies of site plan and building plans including existing and proposed floor plans and elevations
- ☐ If appealing a board decision, 10 copies of the minutes from any previous Planning, HDC, or DRB board meeting

**VI. APPLICANT SIGNATURE**

Owner hereby authorizes the petitioner designated below to act on behalf of the owner.

By signing this application, I agree to conform to all applicable laws of the City of Birmingham. All information submitted on this application is accurate to the best of my knowledge. Changes to the plans are not allowed without approval from the Building Official or City Planner.

\*By providing your email to the City, you agree to receive news and notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.

Signature of Owner: \_\_\_\_\_

Date: 3.13.23

Signature of Petitioner: \_\_\_\_\_

Date: 3.13.23

**PETITIONER'S REQUEST FOR VARIANCE**  
**FROM BIRMINGHAM ORDINANCE**  
**4.11 FN-02 A.2. - FENCE STANDARDS**

City of Birmingham  
Board of Zoning Appeals

**Re: 1563 Lakeside Rd.  
Birmingham, MI 48009**

March 13, 2023

<b><u>Request</u></b>	<b><u>Required</u></b>	<b><u>Proposed</u></b>	<b><u>Variance</u></b>
Fence Standards - Front Yard Setback	3 foot	6 foot	3 feet

**Petitioner is requesting a variance from Birmingham Ordinance 4.11 FN-02 A.2, which states in pertinent part:**

A. Fence Height:

2. Fences located in the front open space shall not exceed 3 feet in height;

Petitioner's lot is unusual in that the property is platted and fronts Quarton Road, while the front of the home actually faces and addresses on Lakeside Road; Consequently, Petitioner is left with an unprotected side yard between the home and Quarton Road, without other alternatives for out door living space.

The significant vehicular traffic on Quarton Road poses a danger to the homeowners, their children and visitors using the side yard. Petitioner is requesting a variance to install a 6ft. fence along Quarton Road to the Lakeside front yard setback, then reducing to 3ft. in height and continuing east to the NE corner of the property, then south along the property line and returning west at the NE corner of the home.

Petitioner's request is consistent with the spirit/intent of the ordinance in that the fence will be limited to 3 feet in height in the home's actual front yard, facing Lakeside Road. Petitioner's request will also benefit the community by serving as a buffer between the neighborhood and Quarton Road, while helping to reduce traffic noise at peak periods. Moreover, Petitioner's fence will screen the side yard from vehicular traffic, providing additional privacy for the homeowners.

Petitioner's hardship is not self-created; vehicular traffic has significantly increased over the years on Quarton Road as more vehicles travel the route to avoid major thoroughfares.

Given the challenging nature of the site and the way the home sits on the property, there is practical difficulty in that there is no other option available that would provide Petitioners reasonable use of the property.

Respectfully,

Pat Beshouri





**Motion by Mr. Canvasser**

**Seconded by Mr. Reddy with regard to Appeal 22-12, C. Chapter 126, Article 4.75 (A)2 of the Zoning Ordinance requires garage doors on an attached garage which are facing a street may not exceed 9.00 feet in width. The existing and proposed is 18.00 feet. Therefore; a variance of 9.00 feet is being requested.**

**Mr. Canvasser moved to deny variance C. He noted the petitioner expressed willingness to comply with this aspect of the ordinance.**

**Mr. Yaldo said the BZA had not heard whether compliance with the ordinance would pose a practical difficulty, and asked the petitioner to comment.**

**Mr. Brown said they would work with their structural engineer and the City to comply with this aspect of the ordinance, and would come back to the Board if they found that compliance posed a practical difficulty.**

**Motion carried, 7-0.**

**ROLL CALL VOTE**

Yeas: Miller, Hart, Morganroth, Canvasser, Reddy, Yaldo, Lillie

Nays: None

**T# 04-18-22**

**5) 1563 Lakeside  
Appeal 22-13**

ABO Zielke presented the item, explaining that the owner of the property known as 1563 Lakeside was requesting the following variances to construct a new single-family home with an attached garage:

**A. Chapter 126, Article 4, Section 4.61(1)** of the Zoning Ordinance requires the minimum street side yard setback for this property to be 46.40 feet. The proposed setback for the home is 33.40 feet; therefore, a variance of 13.00 feet is requested.

**B. Chapter 126, Article 4, Section 4.61(1)** of the Zoning Ordinance requires the minimum street side yard setback for this property to be 46.40 feet. The proposed setback for a covered porch is 27.40 feet; therefore, a variance of 19.00 feet is requested.

**C. Chapter 126, Article 4, Section 4.30(C)(3)** of the Zoning Ordinance requires that patios may not project into a required side open space. A proposed patio is projecting into the west required side open space 9.00 feet; therefore, a variance of 9.00 feet is requested.

Jeff Dawkins, architect, reviewed the letter describing why these variances was being sought. The letter was included in the evening's agenda packet.

**Motion by Mr. Hart**

**Seconded by Mr. Canvasser with regard to Appeal 22-13, A. Chapter 126, Article 4, Section 4.61(1) of the Zoning Ordinance requires the minimum street side yard setback for this property to be 46.40 feet. The proposed setback for the home is 33.40 feet; therefore, a variance of 13.00 feet is requested; B. Chapter 126, Article 4, Section 4.61(1) of the Zoning Ordinance requires the minimum street side yard setback for this property to be 46.40 feet. The proposed setback for a covered porch is 27.40 feet; therefore, a variance of 19.00 feet is requested; and, C. Chapter 126, Article 4, Section 4.30(C)(3) of the Zoning Ordinance requires that patios may not project into a required side open space. A proposed patio is projecting into the west required side open space 9.00 feet; therefore, a variance of 9.00 feet is requested.**

**Mr. Hart moved to approve the variances and tied approval to the plans as submitted. He noted that while the petitioner updated the design, the petitioner still faced the same conditions in this submittal as in an earlier, approved submittal. He said the same reasons for granting the variances in February 2022 remained true presently.**

**Motion carried, 7-0.**

**ROLL CALL VOTE**

Yeas: Miller, Hart, Morganroth, Canvasser, Reddy, Yaldo, Lillie

Nays: None

**6. Correspondence**

A letter regarding Appeal 22-10 was provided to the BZA and to the petitioner.

**7. Open To The Public For Matters Not On The Agenda**

None.

**T# 04-19-22**

**8. Election of Chair and Vice-Chair**

Mr. Hart nominated Mr. Morganroth to serve as Chair. Chair Lille then nominated Mr. Canvasser to serve as Chair.

Each nominee spoke briefly about his proposed approach to serving as Chair.

The Board decided that whoever received the most votes would serve as Chair, with the runner-up serving as Vice-Chair.

A vote on Mr. Morganroth's nomination was held first. The outcome led to Mr. Morganroth being appointed as Chair and Mr. Canvasser being appointed as Vice-Chair.